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ABSTRACT

This Senate report delivered by Mr. Kennedy describes elements of the Human Services Reauthorization (HSR) Act of 1994. It provides: (1) a summary of the bill which reauthorizes funding for Head Start, the Community Services Block Grant, the Low-Income Home Energy Assistance Program, and the Family Resource Program for fiscal years 1995 through 1998 (1999 in the case of the Energy Assistance Program); (2) background information on the programs funded by the HSR Act, and the continuing need for such programs; (3) a brief history of the 1994 reauthorization legislation; (4) an explanation of the bill and committee views on allocation of funds, performance standards, outcome measures, monitoring, quality improvement, eligibility, facilities, and service delivery; (5) program cost estimates; (6) regulatory impact; (7) section-by-section analysis of the HSR Act's modifications to existing legislation; (8) committee action on the bill; and (9) the text of the statutes to be amended or replaced by the HSR Act. (MDM)

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HUMAN SERVICES REAUTHORIZATION ACT OF 1994

APRIL 19, (legislative day, APRIL 11), 1994.—Ordered to be printed

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Mr. KENNEDY, from the Committee on Labor and Human Resources, submitted the following

REPORT

[To accompany S. 2000]

The Committee on Labor and Human Resources to which was referred the bill (S. 2000) to authorize appropriations for fiscal years 1995 through 1998 to carry out the Head Start Act and the Community Services Block Grant Act, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill (as amended) do pass.

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I. SUMMARY OF THE BILL

Title I of the bill reauthorizes the Head Start Act at such sums as may be necessary for fiscal years 1995, 1996, 1997 and 1998. The bill contains provisions to further strengthen and expand the Head Start program. It improves the quality of existing programs by maintaining the 25 percent minimum set-aside for quality improvements, updating performance standards, establishing outcome measures, promoting staff development and adequate wages, providing structured technical assistance, and monitoring. It addresses

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the needs of Indian Head Start programs by updating statutory language and granting Indian programs additional flexibility to address their unique needs. It expands Head Start services and makes them more responsive by offering full day, full year services for families and reducing family service caseworker caseloads to offer more individualized attention, including family literacy efforts. It creates a 3-5 percent set-aside to increase access to early, continuous and comprehensive services for families with infants and toddlers, including consolidating existing Parent-Child Centers and Comprehensive Child Development Programs. The bill creates "collaboration projects" in all 50 States designed to ensure linkages between Head Start programs and State educational, health, welfare, child care, and other efforts, including national service. It reauthorizes the Transition Projects to complete a demonstration cycle and institutionalize efforts to smooth the "transition" from Head Start to public school. The Ready to Learn educational television program is also reauthorized. The State Dependent Care Development programs and Child Development Associate Scholarships are reauthorized for one year, when the Committee will reconsider them in the context of the Child Care and Development Block Grant reauthorization.

Title II authorizes CSBG at $525 million for fiscal year 1995 and at such sums as may be necessary for fiscal years 1996, 1997 and 1998. It requires local entities receiving funds through the program to submit community action plans. The bill also folds the Demonstration Partnership Program, previously a separate authorization, into the Secretary's discretionary fund, and deletes the National Youth Sports Program and migrant and seasonal farm worker assistance from that fund. The bill authorizes the Community Food and Nutrition Program at $25,000,000 for fiscal year 1995 and at such sums as may be necessary for fiscal years 1996, 1997, and 1998.

Title III authorizes the Low-Income Home Energy Assistance Program at $2 billion for fiscal years 1995 through 1999. In addition, it authorizes a $600 million emergency fund for each fiscal year. It authorizes the leveraging incentive program at $50 million for fiscal years 1995 and 1996 and such sums as may be necessary for fiscal years 1997 and 1998. It makes changes to allow States to target the households with the highest energy burdens.

Title IV authorizes a revised Family Resource Program at $75 million for fiscal year 1995 and at such sums as may be necessary for fiscal years 1996 through 1998. Funds may be used to develop statewide networks of community-based family resource programs, provide child abuse and neglect prevention activities, and encourage the use of trust funds and other mechanisms to pool funds for services for children and families. The bill authorizes the National Resource Center for Family Resource and Support at $2 million for fiscal years 1995 through 1998. It also provides an additional authorization of $1 million for fiscal year 1995, and such sums as may be necessary for fiscal years 1996 through 1998, for evaluation of family resource and support programs. The bill authorizes the Federal Council on Children, Youth, and Families at $200,000 for fiscal years 1995 through 1998, and authorizes the State grant program of the Young Americans Act at such sums as may be necessary for fiscal years 1995 through 1998.

II. BACKGROUND AND NEED FOR THE LEGISLATION

TITLE I—HEAD START

Head Start was developed as part of the War on Poverty in 1964, and remains its most popular and effective effort. More than any other program, it has retained an ability to address the hopes, fears, and needs of children and families while serving millions of people.

The face of poverty has changed dramatically in the decades since Head Start began. Single parent families headed by women accounted for about one-third of the poor in 1966; now they represent more than half of those living in poverty. Children have now replaced the elderly as the group most likely to be poor. One child in five in the United States lives in poverty. Disadvantaged children who are part of a racial or ethnic minority group face even harsher realities; 44 percent of all African American children, and 38 percent of all Hispanic children, are poor.

Growing up poor in America in the 1990's is very different than in the 1960's. Violence, homelessness, drugs and AIDS have changed lives and futures in ways that could not have been anticipated in 1964. While medical technology has decreased America's infant mortality rate, the number of low birthweight infants, and the number of babies born drug addicted, has increased. The percentage of high school students who graduate dropped, while teen pregnancy and juvenile violent crime rose. Growing numbers of single mothers with young children—even those with infants and toddlers—must find safe child care for their children while they seek self-sufficiency.

As the needs of children and families changed, so has Head Start. Head Start was first enacted into law in 1966 as a summer program with a budget of $352 million. In 1994, an appropriation of $3.3 billion allowed more than 2,000 locally run Head Start programs to serve more than 730,000 children and their families. By its nature, Head Start requires community input and responsiveness to community needs: local programs may adapt their services to serve Indian tribes or migrant worker communities, target homeless children or children of drug-addicted parents. While most Head Start programs are center-based, home-based and Parent-Child Center models fill special needs of families in certain communities. Today, Head Start programs respond to the complex needs of families in myriad ways, from acting as resource and referral agencies, to providing parenting and child discipline courses, to developing parents' self esteem and job skills.

As researchers and policy makers sought to respond to the growing problems of crime, drug dependency, and the cycle of poverty, the importance of early and comprehensive services for children became ever more clear. Early intervention can improve individual children's lives, and quality programs pay for themselves in reduced reliance on social services and in reduced crime and its associated costs. Studies show that Head Start graduates are less likely to be placed in special education classes or to be retained in grade.

Long-term studies following children who participated in the Perry Preschool program (a comprehensive model similar to Head Start) for one year found that, by age 27, program students had significantly higher monthly earnings and were significantly less likely to have used social services at some time in the previous ten years. Program students averaged half as many adult arrests as the control group. The study estimated that the benefit to society of the program was more than $95,600 per child, of which more than $70,000 was avoided court costs.

The Syracuse study of children receiving educational, nutritional and social services to single parent families from birth to age five found that, by age 15, 22 percent of the control group had been identified as probation cases, compared to 6 percent of the program group. The offenses committed by the control group were far more serious than the program group offenses, which were mostly family discipline cases. The cost to the juvenile delinquency system of a control child averaged $1,985, while the cost per program child averaged $186.

Hirokazu Yoshikawa reviewed a series of similar studies (including, but not limited to, Perry and Syracuse) for an article in Psychological Bulletin. He concluded that, "Research showed that programs combining early family support and education, serving urban, low-income families, and involving both a child-focused educational component and a parent-focused informational and emotional support component may represent a promising method of primary prevention of early-onset, chronic delinquency . . . The lessons of these and previous early family support and education efforts should be generalized to Head Start as a whole."

Head Start is the only comprehensive national program which provides basic services to promote child education, health, mental health, nutrition, and social skills. It recognizes that parents are a child's most influential teachers, and makes parent education and involvement an integral part of the program's operations, both in the classroom and at the highest levels of each center's decision making processes. Nevertheless, it is this "core" of social and support services which has been most strained over the past decade. While programs expanded, funding per child declined in real dollars, and costs, particularly rent and renovations for adequate facilities, rose. Services to families were particularly hard hit, with some programs reporting social service worker caseloads which reach 200 or more families. The need for more extensive training to help staff deal with children and families' increasingly complex needs began to make itself felt.

The Head Start Expansion and Quality Act of 1990 directly addressed these needs with a quality set-aside of 25 percent of all new funds. Half of these "quality monies" were to be spent on improving teacher salaries, helping programs to recruit and retain quality staff. Funds could also be spent on providing transportation, improving facilities, and expanding staff training and development.

The 1990 Head Start Act also reauthorized the Comprehensive Child Development Programs first created in 1988. These demonstration programs were designed to illustrate the effects of identifying low-income families when women were pregnant or had just given birth, and providing continuous, intensive and comprehensive services to support the entire family over a period of 5 years. The demonstration projects have been closely evaluated, and information learned from them can be used to guide other comprehensive programs designed to serve the 0–3 population. The Comprehensive Child Development Centers will be incorporated into the 0–3 initiative under the Head Start Act Amendments of 1994.

The National Head Start Association reports that the quality set-aside continues to have an important impact on improving the way Head Start programs across the country deliver services to children and their families. In 1993, the U.S. Department of Education found that, in a study of comparable early education preschool programs for low-income children, Head Start centers were notable for their consistently high quality.

In 1993, Secretary of Health and Human Services Donna Shalala appointed an Advisory Committee on Head Start Quality and Expansion to examine the Head Start program closely and to make recommendations for its future. The Committee noted that, despite the progress made, Head Start continues to serve less then 40 percent of eligible children. And despite the generally high quality of most programs, some continue to have difficulty providing appropriate facilities, living wages, and the comprehensive services that are critical to meeting family needs. The recommendations of the Advisory Committee focused on three important areas:

(1) The need to improve quality. Steps to be taken include supplementing existing staff development, education and training approaches, improving program management, strengthening Federal oversight, and providing for better facilities.

(2) The need to expand services. Needs assessments should be improved to more accurately determine local needs. Parent involvement and family services should be strengthened. Programs should be given flexibility to provide full day and full year services where needed. An initiative to serve children under three should be developed, and services should be expanded to children and families who currently can not participate.

(3) The need to forge partnerships with other community providers, including coordinating with elementary schools, State, and locally sponsored programs, cooperating with the private sector, and linking Head Start with other national initiatives.

The Head Start Act Amendments of 1994 were written to reauthorize the program and to implement the Advisory Committee's recommendations. The legislation balances the need to strengthen current services with the need to broaden those services and give more children and families access to them. Head Start has a provide record. The program's importance and the central role it plays in communities across America is widely recognized. These amendments will further strengthen the quality of Head Start, and bring its services to children and families at risk who currently cannot benefit from a "head start" in life.

Ready to Learn

The Ready to Learn Act was enacted in 1992 as a programmatic response to the First Education Goal of school readiness for all children. The legislation was sparked by the Carnegie Foundation for the Advancement of Teaching report "Ready to Learn: A Mandate for the Nation." This report highlighted the power of television to impact children, its capacity as a learning tool, and the enormous amount of time young children spend in front of TV watching uninstructive programming. The legislation authorized the Secretary of Education to award grants to expand the availability of educational and instructional video programming for preschool children, and to support its broad distribution. The Act also recognized the critical role that parents and child care providers lay in children's development and early learning. By supporting the development and distribution of training and support materials, parents and child care providers can work with their children to maximize the benefits of video programming.

State Dependent Care Development Grants Act

The State Dependent Care Development Grants Act was enacted in 1981 to provide matching funds to States to plan, develop, establish, expand or improve school-age child care before and after school. Funds may also be used to establish or expand local resource and referral systems to provide information on dependent care services. While other funding streams are available to subsidize care for pre-school age children, funds through the State Dependent Care Grants are the only Federal resources currently targeted for school-age care. No other Federal provisions supports resource and referral systems, which help parents to locate affordable and available child care. The Act was reauthorized through 1994 as part of the Human Services Reauthorization Act of 1990.

Child development associate scholarship assistance

The CDA Scholarship Assistance Act was enacted in 1985 to provide financial assistance to child care staff in obtaining their Child Development Associate credential. The CDA credential was developed to provide a transferrable certification for the growing numbers of parents who participated in Head Start and other child care programs as paraprofessionals, receiving in-service training in early childhood development. The cost of obtaining the CDA covers only the expense of examining applicants and determining that they are qualified to receive the credential. CDA scholarship funds are used to assist applicants for who otherwise can not afford to pay for the credentialling process. Many of the recipients are single mothers attempting to work their way off of social welfare programs. The Act was reauthorized through 1994 as part of the Human Services Reauthorization Act of 1990.

TITLE II—COMMUNITY SERVICES BLOCK GRANT

Although the Community Services Block Grant (CSBG) was established through the Omnibus Reconciliation Act of 1981, its roots go back to President Johnson's War on Poverty legislation enacted in 1964. That year, Congress passed the Economic Opportunity Act, which created the Office of Economic Opportunity (later renamed the Community Services Administration) and launched the Community Action network to provide services broadly targeted on the causes of poverty. The governing boards of the Community Action Agencies were members of the community, including low-income individuals.

In 1981, the Community Services Administration was abolished. The overall purposes and the community-based character of the program have been retained, however, in the form of the Community Services Block Grant (CSBG).

CSBG instituted an important change: administration by the States. The States distribute the funds to local Community Action Agencies and other agencies designated as eligible entities. Nearly 80 percent of local CSBG agencies are community action agencies. Nationwide, nearly 1,000 Community Action Agencies serve 99 percent of all American counties.

Units of local government, migrant and seasonal farmworker organizations, Indian tribes and limited purpose agencies also receive CSBG funds. These groups and community action agencies leverage their CSBG resources to operate programs addressing the problems caused by poverty and providing advocacy services for the poor. Typically, local agencies also administer a wide variety of Federal, State, and local programs, as well as initiatives in partnership with the local private sector.

Funding for the base block grant to the States has eroded since its inception. In fiscal year 1981, $394.3 million was appropriated for the program. This figure fell to $385.5 million in fiscal year 1994.

Programs receiving CSBG funds include uniquely successful public-private partnerships, as demonstrated by the fact that CSBG funds constitute a small proportion of total funding available to the local agency system. These include coordination and integration of services both on a case by case and a community-wide basis; raising new funds, goods, and services for the poor, including mobilizing millions of volunteer hours; providing direct services not available under any other programs; and identifying local needs and creating programmatic responses appropriate to the community circumstances.

The "Community Services Block Grant Statistical Report 1991" by the National Association for State Community Services Programs contains a statistical breakdown of local agency uses of CSBG funds for fiscal year 1991, the most recent year for which information is available. The agencies used a quarter of the money for emergency assistance to families and individuals suffering through economic and social crises. Another 24 percent was used to forge linkages between and among programs. Such linkages allow local agencies to weave a seamless garment of Federal, State, and local services for their clients. Fourteen percent of the funds were used for nutrition programs, 10 percent of education, 8 percent for employment programs, 8 percent for housing and 5 percent for income management.

Community Food and Nutrition Program

The Community Food and Nutrition Program (CFNP) was created in 1974 to help counteract conditions of hunger and malnutrition among the nation's low income population. These conditions had been well documented by a team of doctors from the Field Foundation in 1967. A more specific purpose of CFNP was to provide temporary relief to the hungry and malnourished in emergency situations pending other Federal relief or longer term solutions to the problem of hunger. CFNP was the successor to the Emergency Food and Medical Services Program which was added to the Economic Opportunity Act in 1967. CFNP appropriations were $26.2 million for fiscal year 1976, peaking at $30 million in 1979.

In 1981, the Omnibus Budget Reconciliation Act terminated the program, but Congress authorized a new CFNP grant program in 1984. An authorization level of $2.5 million was established for fiscal years 1985 and 1986, but no funds were appropriated. The Human Services Act of 1986 reauthorized CFNP for four years at $3 million, and Congress has appropriated $2.4 million annually. Funding increased in the early 1990s to the fiscal year 1994 level of $7.9 million.

Unfortunately, hunger continues to be a national problem, particularly among low-income children. As a recent report by the Carnegie Foundation demonstrated between 1971 and 1991, the number of children under six increased by less than 10 percent. During that same period, the number of poor children in the same age group increased by more than 60 percent.

A 1991 report by the Food Research and Action Center estimated that approximately 5.5 million American children under 12 are hungry. That is one in eight. An additional 6 million children under 12 are believed to be at risk for hunger. Childhood hunger can have devastating, lifelong affects.

CFNP has been quite successful at stimulating participation by local agencies in Federal food assistance programs and coordinating anti-hunger efforts in communities. While the funding for this program has been modest, its results have been impressive.

TITLE III—LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

Energy costs account for a sizable portion of living expenses for poor families. To help meet rising costs, the Low-Income Home Energy Assistance Program (LIHEAP) was established in 1980 under the Home Energy Assistance Act, part of the Crude Oil Windfall Profit Tax Act of 1980 (P.L. 96–223). Funding for fiscal year 1980 was $1.6 billion, a response to rapidly increasing heating oil prices. LIHEAP grew out of several one-year programs establishing from 1977 to 1979 primarily to deal with energy-related emergencies. Authority for low-income energy assistance can be traced back even further, to the Economic Opportunity Act Amendments of 1974.

LIHEAP was reauthorized as a block grant in the Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35), but the basic design and intent of the program remained essentially the same. States were given more flexibility to fulfil the programs's purpose of helping low-income households meet their home heating and cooling costs. In addition to providing heating and cooling assistance, States had to reserve a reasonable amount of their allotment for energy crisis intervention and could use up to 15 percent of their LIHEAP allotment for weatherization services and energy-related home repairs.

A continuing increase in the price of natural gas, combined with severe winter weather, kept LIHEAP funding at or above its authorized level. LIHEAP authorizations were set at $1.875 billion for each of the fiscal years 1982 through 1984. Appropriations for those years were $1.875 billion in fiscal year 1982, $1.975 billion in 1983, and $2.075 billion in 1984.

The Human Services Reauthorization Act of 1984 (P.L. 98–588) reauthorized the LIHEAP program for fiscal years 1985 and 1986. Effective fiscal year 1986, the Act prohibited States from establishing income eligibility criteria that are less than 110 percent of the poverty level and treating categorically eligible and income eligible households differently. The Act authorized the program at $2.140 billion in fiscal year 1985 and $2.2 billion in fiscal year 1986. The program received appropriations of $2.1 billion for both of those years, although fiscal year 1986 funding was reduced to $2.01 billion following a sequestration.

Following its reauthorization in 1986, however, program funding began to decline, shrinking to 65 percent of its former size. The Human Services Reauthorization Act of 1986 (P.L. 99–425) provided authorizations of $2.050 billion in fiscal year 1987, $2.132 billion in fiscal year 1988, $2.218 billion in fiscal year 1989, and $2.307 billion in fiscal year 1990. Among other things, the Act added language to the statute to encourage States to use community-based organizations, such as Community Action Agencies or senior citizen agencies, to administer the energy crisis intervention program. The program received appropriations for fiscal years 1987, 1988, and 1989 of $1.825 billion, $1.535 billion, and $1.385 billion, respectively. In fiscal year 1990, the program received $1.393 billion. A supplemental appropriation added $50 million.

The Human Services Act Reauthorization of 1990 authorized appropriations of $2.15 billion in 1991, $2.23 billion in 1992, and such sums as may be necessary for fiscal years 1993 and 1994. Appropriations hovered around $1.5 billion during that time period, declining to $1.4 billion in 1994. The cumulative loss in appropriations from 1985 to 1994 was $4 billion.

As funding declined, so did the number of households served, from 6.8 million in 1987 to 6.2 million in 1992. The program now serves only a fourth of eligible households. States reported during this period that, in addition to limiting the number of households served, they cut benefits. The average benefit decreased from $242 in 1985 to $215 in 1993.

LIHEAP recipients are among the poorest in America. Almost three-fourths of LIHEAP households have an annual income of less than $8,000. Yet, the percentage of income paid by the poor for utility bills is almost 16 percent, almost 4 times the percentage paid by other households. LIHEAP benefits, while critical, cover a small portion of low-income households' energy costs, less than 30 percent in the vast majority of States.

Energy bills cannot be viewed in isolation, since they are a significant component of housing costs. People whose utilities are disconnected because they cannot pay their bills face risks, such as frozen plumbing, fire, or eviction, that can lead to homelessness. Rent and utilities together add up to 58 percent of the entire income of the average LIHEAP recipient.

Some have argued that residential energy costs have decreased substantially, so the LIHEAP is not as critical now as it was in the 1970's and 1980's. However, the Committee believes this is not the case. The decontrol of natural gas in the early 1980's led to an increase in natural gas that only recently stabilized, but at a rate higher than charged prior to decontrol. This fact is important because about 50 percent of low-income families and individuals use natural gas as the main heating fuel for their homes.

While fuel oil prices have decreased from the surges of the 1970's, fuel oil is used as the main heating source for only 12 percent of such households. 14.4 percent of poor households use electricity, 10.5 percent use LPG, roughly 3 percent use kerosene, and 10.2 percent use other sources, such as wood and coal, as their primary heating source. HHS data indicate that the composite average for all energy fuels is higher now than it was when LIHEAP was created.

The percentage of a household's income used to pay for all home energy costs is also an important issue. Some have argued that the percentage of earnings that low-income families spend on their energy costs is less than it was in the late 1970's. The data suggest otherwise. According to HHS data, the average residential energy burden for individual low-income households is 15.8 percent. While that is somewhat lower than the 18.3 percent energy burden of 1979, it is still a high and unaffordable burden for most low-income households.

The high energy burdens faced by low-income households and the cuts in LIHEAP, which has always provided a major source of assistance toward affordable utility bills, have manifested themselves in increased utility shut-offs. According to HHS data, while there was a decrease in low-income households facing some interruption in their utility service in the 1987–88 heating season, the winters of 1989–90 and 1990–91 saw an increase in such shut-offs. The shut-offs in 1990–91 were almost double those in 1987–88, a fact that underscores the hardships faced by poor families.

TITLE IV—FAMILY RESOURCE PROGRAM

The Augustus F. Hawkins Human Services Reauthorization Act of 1990 included a new title focusing on better coordination of services for children and families. As Head Start had strongly demonstrated, assistance to children must speak also to family strengths and needs. Families' complex problems cross conventional bureaucratic boundaries, and assistance must be provided in a manner which is responsive to these needs. At the time of the 1990 legislation, a number of States, several foundations, and associations of professionals working in these systems had been testing methods of collaboration. These methods included multidisciplinary children's departments, joint budgeting, pooling of funds, waivers of regulations, compatible eligibility and standards, and joint intake.

The legislation recognized the value of a comprehensive and collaborative approach to assisting children and their families by strengthening existing comprehensive programs and testing several new approaches.

The Claude Pepper Young Americans Act, Title IX of the 1990 Human Services Reauthorization, was intended to articulate a national commitment to our Nation's children, youth, and families and to encourage greater cooperation at Federal, State, and local levels. The Act established the Administration on Children, Youth, and Families within the Department of Health and Human Services. It also established a Federal Council on Children, Youth, and Families and a State grant program to establish coordinating bodies. It authorized $10 million for a White House Conference on Children, Youth, and Families. These programs have not received funding.

An additional provision established grants for Family Resource and Support Programs. These programs were designed to coordinate local service delivery for families by providing access to a range of services at one location, through both direct service delivery and referral. The programs were expected to be planned and operated at every level through a collaboration of various agencies serving children and families, to create a less categorical and more comprehensive system of services to families. In addition, the legislation required strong parental involvement in program design and operation.

Funding was authorized at $30 million in fiscal year 1991 and at such sums as may be necessary for the years 1992 through 1994. The legislation set a minimum grant size of $1.5 million. The Family Resource and Support Program grants received $4.9 million in appropriations for fiscal year 1993, enabling the Department to award grants to three States. The States enthusiastically responded to the request for proposals, with 44 States applying for the grants. Grants were awarded to the States of Maryland, Connecticut, and Virginia.

As the response to the Family Resource and Support Programs suggests, the States have been moving forward with this promising approach since 1990. Increasingly, they are viewing this approach as a way to reinvent the ways they provide services to families.

A recent report by the Harvard Family Research Project, entitled "Reinventing Systems: Collaborations to Support Families," describes several States' efforts to achieve systems reform using the family resource and support concept. The report defines systems change as "the reorganization of child and family services so that they become integrated, humane, and accessible to those who need them." Collaboration is the key to successful systems change. The report found that, "Local collaborations through family centers that bring together parents, school officials, non-profit-service providers, family advocates, and representatives of businesses and county agencies are . . . an important means of achieving the systems of reform envisioned at the State level." States promote such collaborations through pooling, or decategorizing funds, and altering regulations. State governance of these programs often is placed in interagency bodies or bodies outside the traditional agency structure.

III. HISTORY OF LEGISLATION

On February 10, 1994, Senators Kennedy, Kassebaum, Dodd and Coats introduced S. 1852, the Head Start Act Amendments of 1994, a bill to reauthorize the Head Start program for the fiscal years 1995–1998. Cosponsors include Senators Bingaman, Boxer, DeConcini, Durenberger, Glenn, Jeffords, Johnston, Kerry, Leahy, Levin, Metzenbaum, Mikulski, Mosley-Braun, Murray, Pell, Riegle, Rockefeller, Sarbanes, Simon, Wellstone, and Wofford. At the request of the members of the Subcommittee on Children, Families, Drugs and Alcohol, the bill was considered directly by the Committee on Labor and Human Resources.

A hearing on Secretary Shalala's Advisory Committee on Head Start Quality and Expansion was conducted by the Committee on Labor and Human Resources on January 24, 1994.

On February 25, 1994, a joint hearing on the Head Start Act Amendments of 1994 was conducted by the Subcommittee on Children, Family, Drugs and Alcoholism of the Senate Committee on Labor and Human Resources and the Subcommittee on Human Resources of the House Education and Labor Committee.

The Committee on Indian Affairs and the Committee on Labor and Human Resources held a joint hearing on Indian issues and the Head Start Reauthorization on March 25, 1994.

On March 16, 1994, Senator Dodd introduced the Community Services Block Grant Amendments of 1994, a bill to reauthorize the program for fiscal years 1995–1998.

On March 16, 1994, Senator Dodd introduced the Low-Income Home Energy Assistance Amendments of 1994, a bill to authorize the program for fiscal years 1995–1998.

On March 15, 1994, the Subcommittee on Children, Family, Drugs and Alcoholism held a hearing on the Low-Income Home Energy Assistance Amendments of 1994 and the Community Services Block Grant Amendments of 1994.

On March 25, 1994, Senators Dodd and Kennedy introduced S. 2000, the Human Services Reauthorization Act of 1994.

HEARINGS AND TESTIMONY—SUMMARY OF WITNESSES

On January 12, 1994, the Committee on Labor held a hearing on the report of the Secretary's Advisory Committee on Head Start Quality and Expansion, on which the Head Start Act Amendments of 1994 was based.

Mary Jo Bane, Assistant Secretary for the Administration for Children and Families, Department of Health and Human Services, represented the Administration. Assistant Secretary Bane summarized the purpose of the Committee by saying that "We want to ensure that more children reach school ready to learn. And we want every Head Start program to offer the comprehensive family services and high quality early childhood experience that are the core of the Head Start vision. The Committee's recommendations were based on three principles: excellence of services, expansion that is responsive to family needs, and partnerships which can better serve communities. Among the Committee's key recommendations are: further staff development, more effective Federal oversight, providing full day or full year services as needed, providing services to very young children as needed, introducing a family literacy component to Head Start, and developing linkages with elementary schools to ease the transition from Head Start to kindergarten."

The second panel provided perspectives of two people who have been closely involved in the daily operation of Head Start programs. Diane Hebert, a former Head Start parent from Woburn Massachusetts, is the mother of four boys, two of whom attended Head Start. Diane observed that the two boys who did not have a Head Start experience struggled in school and had difficulty making friends, while the two who went to Head Start fit in to their elementary school classes with ease. One has been a straight A student since leaving Head Start; although the other has learning problems, Head Start taught Diane how to advocate for his needs. When the teachers overlooked his struggles, and the school resisted testing him for problems, Diane knew that she could insist that her son receive assistance. Head Start has helped Diane, as well. She spoke of how her involvement in Head Start helped her to end her addiction to drugs: "Each time I felt like I wanted to use drugs, I'd go over to the Head Start program, and I too would feel safe and wanted." Diane is now working on her associate's degree, and hopes to graduate from law school at the same time her youngest son graduates from high school.

Ron Herndon, President of the National Head Start Association and Director of the Albina Head Start program in Portland, Oregon, was also a member of the Advisory Committee. He reiterated the NHSA's support for the quality set-aside established in the 1990 reauthorization, and expressed his belief that, should Congress enact the report's recommendations into law, further quality improvements would result. In particular, the NHSA endorsed the recommendations to adopt a strategic approach to expansion, to give programs more flexibility to meet local needs, to defund historically poor performing grantees, to strengthen Federal monitoring of programs, and to link Head Start to national initiatives such as school reform and welfare reform.

The third panel was composed of children's policy experts who were members of the Advisory Committee. Marian Wright Edelman, President of the Children's Defense Fund, emphasized that, for children and families surrounded by drugs and violence, Head Start has become an even more critical stabilizing factor in the lives of children and communities. It is for this reason that the Director of the FBI and the US Attorney General both support the earliest possible intervention. For this reason, the Children's Defense Fund strongly supports the initiative to serve children under the age of three. Edelman also reminded the Committee that "ensuring that no child is left behind will require more than the publication of today's report and more than good will. . . . We have already fallen behind on the President's first year goal for an increase of $1.4 billion." Edelman argued that new funding mechanisms should be considered to guarantee annual increases while providing greater stability and predictability than current appropriations process provides, and pointed out that "We ensure that highways are built by reserving monies in a Trust Fund. This nation can similarly guarantee that it meets the first national education goal of ensuring that all children enter school ready to learn through the mechanism of a Head Start Trust Fund."

Dr. Edward Zigler, Director of the Bush Center in Child Development and Social Policy at Yale University, brought the perspective of a long-time advocate for and supporter of Head Start. Dr. Zigler praised the Congress for "taking long-held quality concerns seriously and creating the impetus for improvements by dedicating a portion of the expansion funds" in the face of administrations which "were more concerned with increasing the number of children served than with how well they were being served." Zigler said that the report contained "thoughtful suggestions for enabling Head Start to live up to its potential," and that, with the Congress's help in implementing the recommendations, "the nation will soon have a bigger, better Head Start that comes closer to fulfilling its promise to America's families and children in poverty."

Douglas J. Besharov, of the American Enterprise Institute for Public Policy Research, joined Dr. Zigler in commending the comprehensive approach taken by the Advisory Committee in putting together its recommendations, and conceded that many of the concerns that he, as a Head Start quality "critic," had voiced, were addressed by the recommendations in the Report. He cautioned the Committee to watch the cost of the "wish list of expensive 'quality enhancements'" which may have made "Head Start too expensive for its own good." Mr. Besharov also spoke of the need to coordinate Head Start with other programs, including streamlining program eligibility requirements, combining child care funding streams to create a system of "seamless child care," and coordinating Head Start with current welfare reform initiatives.

Lisbeth Schoor, Director of the Harvard University Project on Effective Services, focused on the report's recommendation to expand services to younger children. Many experts now recognize that one year of Head Start for 4-year-olds is simply "too little, too late." Research on the needs of infants and toddlers is not new, she pointed out; "What is new is that we now know how important it is that those early needs be met." The aspects that make Head Start succeed with preschool age children and their families make Head Start the ideal context for expanding services to young children and their families. Head Start is comprehensive, flexible, family-friendly and community based, establishes a climate which is respectful, welcoming and supportive, allows for local variation while providing high quality, and utilizes a two-generation approach to serving families.

On February 10, 1994, the Subcommittee on Children, Families, Drugs and Alcoholism of the Senate Committee on Labor and Human Resources held a joint hearing with the Subcommittee on Human Resources of the House Education and Labor Committee to introduce the Head Start Act Amendments of 1994.

Mary Jo Bane, Assistant Secretary of the Administration for Children and Families, represented the Administration. She presented an overview of the bill's major provisions. In the category of quality improvements, Advisory Committee recommendations which were written into the bill include: development of updated performance standards, development of performance measures, enhanced staff development (including a mentor teacher program), more focused training and technical assistance, and defunding of poor performing grantees. In the area of expansion, the bill would enact Advisory Committee recommendations to approach program growth in a more strategic fashion. For the first time, expansion funds would be targeted within States to areas of greatest need and programs which have undertaken community needs assessments and with a history of delivering high quality services. Programs will be given new flexibility to offer full day, full year services to meet the needs of the families in their communities, and an infant and toddler initiative is created to respond to the growing knowledge about the importance of early intervention and the growing need for these services.

Michael Hunter, a police officer in New Haven, Connecticut, participated in the Head Start program both as a student and as a parent. He described Head Start as "early treatment for the deviant social behavior our nation faces." According to Mr. Hunter, "Head Start embraced me, instilling in me as a pre-schooler positive hopes and dreams of a different way of life." Head Start provides children with the tools they need (a nurturing environment, good role models, goals) to make positive choices as they grow older. Mr. Hunter attributes his success in life to the "head start" that he received as a child, and believes that his son will experience the same success. He told the Committee that "my son Aaron, who has always loved dinosaurs, came to me one day after visiting the Zigler Center in New Haven with his Head Start program and said, 'Daddy, I want to be a paleontologist when I grow up.' I looked at him bewildered and asked him what a paleontologist was. He said 'It's a scientist who studies dinosaurs in their bones.' I was speechless. This is the kind of dream I want my son to have—not a dream of selling drugs."

Jeanie Kendall, a mother of four from Paris, Kentucky, spoke about the tremendous influence Head Start has had in improving both her life and the lives of her children. Mrs. Kendall described her life before she enrolled her children in Head Start: poorly-educated, low income, with low self esteem. She testified that Head Start taught her that "I matter" and "I can do it!" When Head Start told her that she was the most important teacher her children would ever have, Mrs. Kendall was inspired to further her own education on behalf of her sons. Currently, Mrs. Kendall teaches adult reading and GED courses; one of her first graduates was her father. Her sons are strong students, thanks to the education and attention that they received in Head Start. Mrs. Kendall herself will receive her Bachelor's degree on Mother's Day in May of this year.

Donna Hogle of Bloomington, Indiana, is the Head Start Director for the South Central Community Action Head Start and a board member of the Indiana Head Start Association. According to her survey of urban and rural Head Start programs, the main issues of concern in Indiana are the lack of adequate facilities (her program has been in over 12 locations in the last 27 years) and the lack of qualified, appropriately paid staff. Additionally, Ms. Hogle stated that the Association supported the Advisory Committee's recommendations regarding the need to continue the 25 percent set-aside for quality, grant local flexibility to provide full-day, full-year, and infant and toddler services, and redesigning the Federal monitoring system to provide both more accountability and a better Federal-local partnership.

Sandra Kessler Hamburg of New York, New York, is the Vice President and Director of Education Studies for the Committee for Economic Development, a nonprofit, nonpartisan research and policy organization comprised of 250 of the nation's top business leaders and educators. She told the Committee that early intervention will bring increased participation in the job market, more tax-paying citizens, and reduced crime, welfare, health, and other costs. Ms. Kessler Hamburg supported the balance between Head Start expansion and quality improvement reflected in the bill. She urged the Committee to address the lack of facilities that is likely to occur as the program continues to expand; revise funding targets to accommodate for all eligible three to five year-olds; strengthen the management skills of Head Start directors; establish linkages between Head Start programs and child care options; provide programs for the transition between Head Start and Elementary school; and ensure that Head Start programs are coordinated with the variety of family support services in the community.

Valora Washington of Battle Creek, Michigan, is the Vice President for Programs for the W.K. Kellogg Foundation. Ms. Washington said in her statement that Head Start is successful because it does what W.K. Kellogg told his Foundation to do: "Relief, raiment and shelter are necessary for destitute children, but the greatest good for the greatest number can come only through the education of the child, the parent, the teacher—and the community in general." Ms. Washington summarized the Foundation's three key recommendations: strengthening Head Start's focus on building families' and communities' capacity to "own" their own solutions; creating or enhancing collaborative efforts with other programs, especially those related to child care and public schools; and promoting and creating opportunities for leadership development. Ms. Washington specifically advocated providing infant/toddler services, renewing the transition projects, and providing grants to facilitate State level collaboration. Self caseloads should be reduced, staff salaries increased, and Federal oversight and assistance capacities should also be enhanced to make Head Start still more "an investment our nation should be proud of."

On March 25, 1994, the Committee on Labor and Human Resources held a joint hearing with the Committee on Indian Affairs to consider Indian Issues in the Head Start Reauthorization.

Helen Taylor, Associate Commissioner of the Head Start Bureau, Administration on Children, Youth, and Families, represented the Administration. Associate Commissioner Taylor reaffirmed the mission of Head Start "(to prepare) children for school and future life, (strengthen) families, (build) community capacity, (forge) partnerships, and (reflect) community values and traditions." She commended the Indian Head Start programs for their being "far ahead of other programs in building linkages between Head Start and other programs serving families, including programs for infants and toddlers and school-age children, child care, and family support services." The Associate Commissioner highlighted the obstacles that Indian Head Start programs face, pledging the Administration's assistance to ensure program flexibility to meet family needs, provide safe and adequate facilities, provide training and technical assistance that is responsive to the special needs and circumstances of Indian grantees, and promote staff development.

In the second panel, Linda Kills Crow, President of the National Indian Head Start Director's Association, represented the Indian Head Start programs. Ms. Kills Crow identified eligibility levels, staff turnover, and facilities as three of the most important issues facing Indian Head Start programs. She urged the Committees to consider waiving the eligibility guidelines to allow the tribes to fill the slots they are currently funded to provide. With 30 percent turnover of Indian Head Start directors each year, she told the Committees, efforts to provide adequate training are critical to improving the quality of Indian Head Start programs.

Ms. Kills Crow described to the Committees how the lack of suitable facilities detracts from quality services and dramatically increases the cost of Head Start programs. Current Head Start regulations state that grantees may not construct classrooms. Ms. Kills Crow explained how this has created particularly acute problems for Head Starts which operate on tribal lands where existing buildings are not available for rent, lease, renovation, or purchase. She told the Committees that the Osage program purchased a single modular classroom unit, (24×56), for $75,000. Within a year, problems occurred with leaking ceilings and walls, uneven floors due to the ground settling under the pier foundation, and numerous plumbing problems. The units are constructed out of State, so repairmen must travel from the factory to the reservation, which often takes weeks. The tribe's Head Start program owns the modular and did not want to see it ruined, so it spent the required funds for repair. In less than 2 years, emergency maintenance and repair has amounted to several hundred thousand dollars. The tribe consulted with a local contractor, who informed them that a permanent building of twice the square footage could have been constructed on a slab foundation for the same cost.

Sarah M. Greene, Chief Executive Officer of the National Head Start Association, represented Head Start programs nation-wide at the hearing. Ms. Greene spoke of the ned to maintain quality control for Head Start programs nationwide. Ms. Greene cited a study showing that quality Head Start programs have been linked with reduced violence and gang activities. Access to adequate facilities, timely and effective training and technical assistance, and waiving the 10 percent cap on serving children slightly over income are necessary for all Head Start programs but are particularly critical for Indian Head Start programs. Ms. Greene recommended that the Federal Head Start staff be expanded so that local programs could be regularly visited and assessed in order to maintain high levels of program quality. She also spoke of the success of long-distance learning technologies which bring interactive training sessions to rural and isolated Head Start communities, including the Indian Head Start programs. Currently, 18 percent of the participants in the long-distance learning program are Native American. Ms. Greene urged that training and technical assistance funds continue to support this effort to serve communities which often have no other source of training.

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In the third panel Marge Anderson, Chief Executive of the Mille Lacs Band of Chippewa Indians of Minnesota, represented her tribe. Ms. Anderson was accompanied to the hearing by Norma Thompson, Director of the Mille Lacs Head Start program. They detailed the threat posed to their Head Start program by the eligibility guidelines since economic development has raised incomes on the reservation. As families rise above the income cut-off, often by as little as $50, children have been declared ineligible for Head Start. As current Federal law prohibits the Chippewas from enrolling eligible children living near the reservation, the Mille Lacs Head Start program is now in danger of being defunded. And because current law prohibits a defunded grantee from reapplying for Head Start funding, the Mille Lacs Chippewa tribe would be permanently denied Head Start services, regardless of their future fortune.

Carl N. Concha, Governor of Taos Pueblo, New Mexico, was accompanied by Carmen Lieurance, Director, Taos Head Start. Although Indian Head Start programs face great challenges, they are a successful avenue for delivering cvritically needed services. They described for the Committee the success of the Taos Pueblo Head Start, which has become a model for Head Start programs nationwide. Two Taos Pueblo Head Start alumni and three former Head Start parents are now teachers at Taos Head Start. Former Head Start parents have begun a scholarship fund, which has helped former Taos Head Start students to attend the University of New Mexico, Wesleyan College, and Stanford University. The program has now been selected as a pilot site for a much-needed Substance Abuse Inititive, and is currently expanding its services to include a home-base option and care for children under three years of age.

Chairman Philip Martin of the Mississippi Band of Choctaw Indians was accompanied by DeLaura Saunders, Director, Mississippi Choctaw Head Start. They spoke about the changing needs of the community as jobs on the reservation are created. Nearly 70 percent of the women on the reservation now employed, creating a need to serve additional children and provide full-day and full-year services. The Chairman discussed the tribe's need for quality services for children under the age of 3.

Vice-Chairwoman Loretta Metoxen of the Oneida Tribe of Wisconsin was accompanied to the hearing by Pamela Ninham, Director, Oneida Head Start. In her statement, she told the Committees of the Gravel Amendment, which allows Head Start programs with "poverty of access" to serve all of the children in the region. Although Oneida meets the poverty of access conditions, HHS has refused to interpret the law as applying to any Head Start programs outside of Alaska. The tribe is so committed to Head Start that it has resolved to fund Head Start slots for every over-income 3- and 4-year-old tribal member. This goal is made more difficult by the prohibition which prevents Head Start from constructing facilities or purchasing them from the tribe. The modular purchased by Oneida for Head Start was originally priced at $185,000. Installing the modular and bringing it up to State code eventually raised the price tag to $604,705—more than $6,000 per child served by the program. The modular, which was not designed to withstand Wisconsin winters, is seriously damaged and in need of replacement only two years after its installation.

Caroline Yellow Robe, Director of the Fort Belknap Head Start program in Montana, was accompanied by Dawn Bishop Moore, Head Start parent. Ms. Yellow Robe, once a Head Start parent herself, received training and professional development through the program and is now a Head Start grandparent and director. In their statement, Ms. Yellow Robe and Ms. Moore described how the same problems of lack of facilities, insufficient training and technical assistance, inability to serve children living near the reservation, and barriers to serving children just above 100 percent of poverty which Ms. Yellow Robe encountered as a parent in the program 29 years ago continue to make service provisions difficult today. They described how the Head Start program helps both parents and children develop cultural pride in being Indian tribal members. The services of Head Start help to prevent drop-outs, drug abuse, and alleviate other social problems, and should be extended to more children.

Julie Lessard, Director of the Grand Portage Head Start program for the Chippewa Indians of Minnesota, discussed the needs of extremely isolated Head Start programs. Economic development has raised most of the tribe's children above the income eligibility cutoff and threatened the closure of the program. The Grand Portage Head Start program provides the only child care in a forty mile radius; the nearest Head Start center is five hours away. Although family incomes have risen, most tribal members have joined the ranks of the working poor. Children continue to qualify for free or reduced lunches and other social welfare programs, and continue to need the comprehensive services of a Head Start program. They meet the "poverty of access" criteria of the Gravel Amendment, which allows Head Start programs to serve all children in the region but which has been interpreted to apply only to Alaska. Ms. Lessard urged reconsideration of the Gravel Amendment provisions to extend them to isolated children such as those in Grand Portage.

Sarah Kuenzli, Director for the Tanana Chiefs Conference Head Start program in Alaska, addressed the issues of facilities and the need to provide services to infants and toddlers in her statement. She also discussed the difficulties of providing adequate staff training in isolated areas. Comprehensive training in early childhood education is the foundation of quality programs, but this opportunities to receive training are extremely limited for staff in rural areas. The timelines for completing training for the Child Development Associate credentialling process do not make allowances for difficulties inherent in a long-distance delivery system. Cost for training is extremely high, and is not adequately covered by a training allowance based on the number of children served. Adjustments in the training and technical assistance system must be made in order to promote quality in rural and isolated Head Start programs.

Marian Holstein, Director of the Winnebago Head Start program in Nebraska, described the devastating impact of the government's policies on Indian culture and family life. Problems of poverty, alcoholism and their associated health risks are widespread on the reservations, and affect even the families which have managed to attain an income above the Head Start eligibility cut-off. In some cases, she pointed out, higher incomes only facilitate abusive behaviors, and Head Start is one of the only programs that has the flexibility to meet parents' needs for parenting skills, financial planning assistance, and other life skills. If current eligibility restrictions are maintained, Ms. Holstein told the Committees, Head Start may vanish from the reservations just when it is most needed.

Lindy Trueblood, Director of the Oglala Sioux Head Start program in South Dakota, described the cycle of domestic violence in which many of her children and families are trapped. Many families are too ashamed to turn to friends or social service organizations for help, but Head Start programs offer a way to address the needs of both children and families. With additional funding, trusted Head Start home visitors and counselors could provide still more assistance in addressing this problem. Ms. Trueblood told the Committees that additional expansion funds are needed to serve the eligible children stranded on the Head Start waiting list, and additional quality improvement funds would allow the program to address local needs such as domestic violence more successfully.

Winona Sample, of the Red Lake Band of Chippewa Indians of California, testified that she has visited almost every reservation which has an Indian Head Start program. She spoke of the need for community-based Head Start programs to serve large quantities of Indian children living in urban areas with the same cultural sensitivity as those on the reservations. All Head Start programs receive training and technical assistance from a single centralized source, which does not have adequate resources to provide necessary assistance. Greater access to on-site training must be available to promote quality in Indian Head Start programs. Ms. Sample told the Committees that, in the past, Federal employees from other areas of government had been transferred to the Head Start bureau to serve as monitors, consultants and administrators despite their lack of knowledge of the Head Start program. She testified that currently only one person in the present American Indian Programs branch who has any early education or social services background. Ms. Sample told of joining teams of Head Start quality monitors when she was the sole person familiar with Head Start or the components they were being asked to evaluate—and sometimes, was the only team member who had ever been on a reservation before. Ms. Sample urged the Head Start bureau to hire evaluators familiar with Head Start and sensitive to Indian cultures and concerns to promote the quality of the Head Start program.

On March 15, 1994, the Subcommittee on Children, Families, Drugs and Alcoholism held a hearing on funding for the Low Income Home Energy Assistance Program (LIHEAP) and the Community Services Block Grant (CSBG).

Mary Jo Bane, the Assistant Secretary of the Administration for Children and Families, represented the Administration. The Assistant Secretary spoke of the need to provide services while working within budget constraints. She discussed the Administration's modifications to LIHEAP and CSBG to better target available resources, increase State flexibility, and simplify program requirements to reduce administrative burden. The Secretary's priorities for CSBG include: preventing future problems and supporting early interventions; fostering independence through community economic development and job creation or community empowerment strategies; and improving services through management. The Administration's proposal establishes a new Community Initiative Program (CIP) through fiscal year 1998.

Audrey Rowe, the Connecticut Commissioner of Income Maintenance, represented the Coalition of Northeastern Governors (CONEG) on the second panel. CONEG believes that LIHEAP has been an effective and successful program in meeting the energy needs of low-income elderly, disabled and working poor individuals and families in the Northeast. In her testimony, Ms. Rowe discussed the Northeastern States' approaches to stretching the LIHEAP dollar and the devastating effect that reducing the LIHEAP budget would have on low-income households. States estimate that the proposed budget cuts will eliminate 600,000 households from the program. CONEG's recommendations include: maintaining the core purpose of providing heating assistance to low-income households; allowing States maximum flexibility in setting program requirements and in determining whether funds should be used for long-term objectives such as weatherization; assuring allocation of funds to high-energy cost and use areas via the funding formula and related "hold harmless" provisions; determining LIHEAP eligibility on households' total income; capping program set-asides for leveraging at the current level; and permanently authorizing the release of emergency funds.

Captain Carey Woodlon of the Baltimore Fire Department described the impact of a recent fire and the deaths of several children, caused by unsafe heating elements, had on his Department. He testified that, using the privately-funded Baltimore Fuel funds, Department of Social Services emergency monies, donations from churches and private individuals, and LIHEAP, his Department offers troubled Baltimore families energy assistance in an attempt to avoid such tragic deaths. Captain Woodlon concluded: "Energy assistance is not just a winter problem; therefore, the City of Baltimore has put together a strategy that operates 12 months out of the year. LIHEAP funding is a critical part of our approach * * * Needless to say, the City of Baltimore is opposed to any cut in LIHEAP funding and strongly urges that the program be funded at least at the fiscal year 1994 level."

Deborah Frank, M.D., spoke about her findings concerning the relationship between childhood malnutrition and cold weather in poverty stricken households. Dr. Frank explained that the 3 years of data she collected clearly showed that "as temperatures fell, the rate of low-weight-for-age (cases) rose, with approximately 1 month's time lag," and that the risk of severely low weight births in the 3-month period following the coldest time of the year increased by 37 percent. Dr. Frank's "heat or eat" study found that "children whose families had been threatened with a utility turnoff were also more likely to be classified as hungry or at risk of hunger than children of other families." During the particularly cold winter of 1993–94, the rate of children referred for malnutrition during December to February tripled. Dr. Frank told of a premature baby who "suffered a respiratory arrest from hypothermia in spite of her parents' best efforts to keep her warm with a light bulb." Dr. Frank described the long term effects of the malnutrition brought about by heating costs to the Committee, saying that "there is a large body of literature suggesting that children who are undernourished during this critical period (early childhood) are at lasting risk for later school failure and deficits in attention and social behavior * * * Moreover, a malnourished child * * * is relatively immunocompromised."

Mrs. Leticia Fletcher of Philadelphia, Pennsylvania began the third panel. She explained how LIHEAP money allowed her family to survive through a winter when, "Due to illness and heart failure, my husband had to stop working. Soon after, I was forced to quit my job so that I could take care of him. While we were waiting for social security benefits, we used up our savings and when we ran out of money, we applied for welfare. The welfare benefits lasted only 90 days and we could not afford to pay all our bills." Mrs. Fletcher praised LIHEAP and urged the Committee to continue and expand the program. She said that "I was fortunate that (the Neighborhood Energy Center) helped me with oil and energy counseling and home repairs and arranging payments with other utilities. They helped me deal with the big picture and treated me right. LIHEAP is a critical part of the bigger solution."

Mr. James H. Gatling is the President of the Connecticut Association for Community Action and the Executive Director of the New Opportunities for Waterbury, Inc. In his testimony, Mr. Gatling emphasized that CSBG funds have been the backbone administrative support for the community action agencies (CAA) which form a statewide network of services for communities. According to Mr. Gatling, CAAs are one of few agencies that make home visits and identify clients that are not in the system. Because one-third of their Board of Directors is composed of low-income neighborhood residents, these agencies are places in which poor people have a real voice in policy making and program development. Mr. Gatling also discussed the potential of the Programs Directed to Special Populations within the CSBG and the importance of the energy assistance program.

Catherine Riley, a Minnesota junior high school teacher and mother of two, discussed her experience with the Anoka County Community Action Program (ACCAP). Energy assistance, transitional housing, Head Start, Fair Share, and counseling were provided to support Ms. Riley and her children, help her to obtain her degree, and eventually assist her to become a home owner. Ms. Riley praised ACCAP for empowering her to meet her family's needs and to become a contributing member of society. Without CSBG funds to provide CAP "glue money," none of these services would have been possible.

Jamie Enochs, a single parent from the small town of Atchison, Kansas, has been involved in the Northeast Kansas Community Action Program (NEK–CAP), which is supported by CSBG funding, for several years. Ms. Enochs praised the NEK–CAP program for its "Total Family Approach To Self-Sufficiency Program" and the "Self-Sufficiency Specialists." The NEK–CAP program provided Ms. Enochs with both the technical and emotional support that she needed after her husband left her and her daughter was diagnosed with cancer. Thanks to the support of NEK-CAP, Ms. Enochs is now enrolled in the Licensed Practical Nursing program at the Atchison Vo-Tech School.

Robert Y. Justis, Jr., of St. Johnsbury, Vermont, is the President of the Northern Community Investment Corporation (NCIC). NCIC is a non-profit community development corporation which serves six of the most sparsely populated counties of northern New Hampshire and Vermont and is supported by the Community Economic Development Program. Mr. Justis believes that this program is a vital component of the government's effort to fight poverty in the most economically disadvantaged urban and rural areas. In his testimony, he emphasized the uniqueness of the CED program and the enormous benefit of the discretionary fund to local communities.

IV. EXPLANATION OF THE BILL AND COMMITTEE VIEWS

TITLE I—HEAD START

Authorization of appropriations

Section 104 authorizes such sums as may be necessary to enhance program quality and expand Head Start services to all eligible children. The Committee notes that the President's Fiscal Year 1995 budget request includes a projection that Head Start shall receive an annual increase of $700 million during each year from 1995–1998, with a $6.1 billion appropriation in Fiscal Year 1998. The Committee applauds the Administration's commitment to the Head Start Program. The Committee and the full Senate unanimously supported an Fiscal Year 1994 funding figure of $7.6 billion in the 1990 reauthorization and believes that reaching all eligible children with quality and responsive Head Start services may well exceed that figure in the years ahead, given the rising need for services and the need to maintain high quality. The Committee affirms its commitment to serving all eligible families who seek services.

Allocation and use of funds for quality improvement

The 1990 reauthorization established a quality set-aside which amounts to 25 percent of the funds allocated each year in excess of the cost of maintaining the existing Head Start programs. Section 105 clarifies that the 25 percent set-aside is a minimum level, and that it may be increased by the Secretary should an increase be necessary to address an identified quality concern.

Section 105 outlines several specific priorities for use of quality improvement funds. Funds may be used to enhance program quality, and to enable programs to meet performance standards. Funds may be used to hire additional staff where it is necessary to provide adequate staff to family ratios, particularly in the area of family service, and to provide adequate staff training. Quality improvement monies may also be used to improve community needs assessments, to obtain facilities which are safe and conducive to effective programming, and for other quality-related improvements as the Secretary may identify.

The Committee wishes to affirm its commitment to providing competitive wages to all Head Start staff. Despite the requirement in the 1990 legislation that programs use half of their quality set-aside to enhance salaries, many Head Start staff continue to be paid inadequate wages. The Committee is aware of situations where Head Start staff with children are themselves income-eligible for Head Start services. The Committee believes that no child should live in poverty because his or her parent is employed in a Head Start program. The Committee also notes recent studies showing that the number of aggressive acts by children against their peers in kindergarten classes is directly related to the number of caregivers responsible for the children before they reach kindergarten; greater staff turnover and instability of care results in more anxiety and aggressiveness by children. Low wages obstruct career development efforts and make it difficult for Head Start programs to attract and retain qualified staff. Therefore, the Committee has maintained the requirement that half of the quality improvement funds be used to improve staff salaries.

Collaboration grants to States

The Secretary's Advisory Committee recommended that Head Start make a concerted effort to coordinate with ongoing national initiatives such as the reform of our health care, welfare, and educational systems. The Committee believes that Head Start, with its multidisciplinary approach and extensive parent participation, has an important perspective to offer these efforts. Section 105 directs the Secretary to give a grant to create a position of Head Start liaison designed to facilitate such collaboration in each State.

Based on the experiences of several States, the bill stipulates that high-level liaison positions must be created with sufficient access to coordinate across a range of agencies and topics, and sufficient authority to achieve results. Many of the most successful collaboration grants have created positions in the State Governor's office. The Committee does not intend to preclude designation of other placement inside or outside of State government. The Committee notes that many of the most successful States also involve a committee of Head Start staff and high-level State administration staff to determine management and implementation of the project. The Committee requests the Secretary to work with the National Head Start Association and State officials to create collaboration grant models based on the most successful of current collaboration projects.

Section 105 requires that the State Head Start association be involved in the selection of the liaison, and have ongoing input into the priorities selected and the positions represented by the collaboration project. The Committee intends the Head Start liaison to be involved in policy setting and decision making on a wide range of topics affecting low income children and their families, and does not intend to limit the liaison's activities to the range of initiatives expressed in the statute.

Allocation of funds for program expansion

The Committee reaffirms the importance of expanding the Head Start program. Currently, fewer than 40 percent of the eligible three and four year old children are served by the program. The Committee applauds the commitment of current and previous Administrations and Congresses to expand Head Start services to all eligible children and strongly encourages advancement towards that goal.

However, expansion must be undertaken in a planned and orderly fashion. The allocation of expansion funding must not undermine efforts to promote quality. The Committee is aware of cases where adequately performing programs became at-risk programs after they received expansion grants which they could not manage successfully, and of cases where weak programs continued to receive expansion funding even after they were identified as at-risk. The expansion allocation provisions in section 105 are intended to prevent such cases from occurring in future.

Consistent with the current statute, each State will be allocated expansion funds, which individual programs will apply to receive. Under the provisions included in section 105, grant applications within each State will undergo a more rigorous evaluation than is currently the case. Each applicant will be evaluated based on the quality of its current program and its capacity to expand services while maintaining high quality. Strategic plans and community needs assessments must be presented to justify the expansion and demonstrate that it will be carried out in a manner which maximizes its potential for success. The concentration of poverty in the area served by the applicant, in addition to the number of eligible children remaining unserved in the area, will also be taken into consideration in allocating expansion funds.

The Committee recognizes the existence of populations that may be particularly disadvantaged. The Committee urges the Secretary to work with programs to provide specialized outreach to these populations and to include them in community needs assessments. In addition, the Committee expects the Secretary to direct some of the expansion funds to programs that serve such extremely impoverished and disadvantaged populations, including recently-arrived immigrant groups.

Flexibility for full-day and full-year programs

Most Head Start programs provide part-time services to Head Start children. While some programs have received State or other funds to "wrap around" Head Start and extend the hours of care, this funding is limited and difficult to obtain. The Committee recognizes that some children may be prevented from attending Head Start because their parents' work or school schedules require them to be in full day, full year programs, and transportation from Head Start to supplementary care, or the supplementary care itself, may be unavailable. Section 105 therefore authorizes the use of Head Start funds to provide full day and/or full year programs, should the program's community needs assessment establish that such programming is necessary. The Secretary should also encourage the development and testing of innovative, locally designed options, including programs that involve collaboration with child care and other child and family service program. Where administrative rules and regulations are a barrier to effectively combining funds from different federal program sources, a timely mechanism for requesting and granting waivers should be put into place. The Committee encourages local programs to exercise this option were appropriate in response to community needs established by a needs assessment.

Provision of COLA to Head Start Program staff

Each year, Head Start programs are allocated funds to provide a cost of living adjustment to staff salaries. It has come to the attention of the Committee that some grantee agencies operating multiple social services programs have, in the past, awarded Head Start COLAs only when all of the non-Head Start staff in the agency also receive a COLA. The Committee recognizes the dedication of staff working in social service agencies to provide a range of services to low income children and families. However, the Committee does not believe that Head Start staff should be denied COLAs just because agencies do not award comparable increases to their entire staff. Section 105 clarifies that the award of COLAs to Head Start staff may not be made contingent on the award of COLAs to other agency staff.

Enhanced parent participation

The Committee believes that parent involvement in Head Start is the key to its success. Parents who participate in Head Start programs become better educated in life skills. They become better parents. Their actions convey to their children that they, as adults believe education is important and that they support their children's activities. Head Start programs that train their parents to be full participants in the Policy Council, guiding program operations through hiring, firing and budget decisions, are more responsive to the needs of parents and the local community. Parent involvement in the Head Start program cannot be a rubber stamp; for Head Start to accomplish its purpose, parent involvement must be encouraged, desired, and respected by the program. Most of all, Head Start must be responsive to parent needs.

S. 2000 reflects this Committee's strong belief in, and commitment to, parent involvement in Head Start. Section 107 directs the Secretary, when evaluating applications for designation as a new Head Start agency, to consider the applicant's plan for involving parents in the program. The parent participant aspect of current programs is reinforced in section 109 by requiring Head Start programs to provide to each participating family a family needs assessment. It is the Committee's intent that this family needs assessment shall be used to determine the types of services which are offered or provided to Head Start families.

In order to both involve parents more fully and respond more effectively to parent needs, section 107 directs all Head Start programs to make family literacy services available to parents, either directly or by referral. The Committee understands family literacy to be an approach to teaching literacy which combines adult literacy instruction, development of parenting skills, and activities for children. By working with both parents and children, family literacy promotes child and adult literacy, and uses parents' desires to be models for and teachers to their children as an incentive and vehicle to develop their own reading and parenting skills. Section 109 further clarifies the range of services to be provided by the

Head Start program to parents to help them become full partners in the education of their children.

Through its long-standing tradition of building trust with families, Head Start allows parents to move at their own pace. The Committee understands that demands of work, school, job training, and other family commitments may make it difficult for some parents to participate fully in Head Start. Some parents may be prevented by poor health or disability from becoming as involved in Head Start as they might otherwise wish. A number of programs have developed innovative and flexible methods to involve working parents successfully in their programs, and should be used as models. The Committee supports a variety of approaches to involve parents in Head Start; parent participation should not be limited to participation in classroom activities.

Performance standards

Head Start programs are guided by a series of performance standard outlining the services which must be provided to children and families. Provisions in the 1990 Act require that each Head Start program undergo an intensive review at least once every 3 years to determine compliance with the performance standards and to promote a consistent level of program quality. this system of standards and monitoring is widely recognized as a critical component of Head Start quality.

The Head Start Advisory Committee noted that the performance standards currently used were issued in 1975, and in some cases no longer reflect current best practices with regard to child development. Section 108 directs the Secretary to establish, within 1 year of enactment, revised and updated standards to guide program operations in the areas of health, education, parental involvement, social and other services. The revised guidelines shall not in any manner diminish the scope of current services. The Committee encourages the Secretary to ensure that the needs of local Head Start programs are represented on the committee, and recommends that half of the appointed members be current or former staff or parents in local Head Start programs.

Current performance standards address only the practices of the Head Start program. Except in the case of a single-purpose agency, the grantee may provide few services which directly relate to the operation of the Head Start program. In these cases, only the direct services provided, such as bookkeeping or financial services, are subject to performance standards and Federal monitoring practices. At no time is the grantee agency required to demonstrate an understanding of Head Start practices. Compliance with Head Start regulations pertaining to parent involvement, agency Executive Board bylaws, administrative costs and responsibilities, or other aspects of the Head Start program is never evaluated. Therefore, section 108 directs the Secretary to develop grantee performance standards which may be applied to the practices of the grantee agency with respect to the Head Start program as distinct from the program operation.

Outcome measures

While the performance standards establish a minimally acceptable level of services, they do not directly measure program quality or effectiveness. Section 108 directs the Secretary to consult with experts in the fields of child development, family service, program management, and with representatives of Head Start agencies, to develop and issue outcome measures within one year of enactment. It is the Committee's intent to measure strengths and weaknesses on a program-wide basis, and not to focus on individual children and families. These measures shall be used to enhance program accountability, increase efficiency of operations, and to identify strengths and weaknesses on a national and region-wide basis. The Committee intends that outcomes shall be used to focus research and training and technical assistance resources on areas of greatest need. The Committee urges the Secretary to ensure that local Head Start programs and members of the Head Start community are represented by consulting with a substantial number of staff and parents with experience in local Head Start programs in the development of the outcome measures.

Monitoring

Regional offices of the Administration for Children, Youth and Families are responsible for conducting an in-depth triennial review of each operating Head Start program. In recognition of the importance of Federal monitoring to Head Start quality and the recommendations of the Advisory Committee, section 108 provides additional guidance regarding Federal reviews. The triennial review required in the 1990 legislation is maintained. In addition, each newly designated Head Start agency must be reviewed at the end of its first year of operations. Any Head Start agency or program which undergoes a review and is determined to fall short of minimum standards must receive a prompt follow-up review. The Secretary is also authorized by section 108 to approve other reviews as appropriate.

Monitoring is a critically important piece of the quality assurance process, but it succeeds only when qualified staff who are familiar with the complexities of operating a Head Start program are able to travel out to each program and spend adequate time with the staff, parents and children at each site. This is particularly important when composing monitoring teams to evaluate both Migrant and Indian Head Start programs, which employ unique, culturally appropriate curricula. Section 108 requires that, to the maximum extent practicable, reviews are conducted by knowledgeable review teams with expertise in the Head Start component areas and are supervised by a Department of Health and Human Services employee at each Head Start agency site.

The Committee is sympathetic to the Department's need to limit its travel expenses and reduce its overall FTE levels in accordance with the President's deficit reducing initiatives. Nevertheless, the Committee believes that the integrity of the Head Start monitoring process must be preserved and enhanced. Recent years have seen the number of regional Head Start specialists reduced, their caseloads and paperwork increased, and travel funds cut. In some cases, Federal staff who are unfamiliar with the Head Start program have, as part of Federal restructuring efforts, been reassigned to ACYF as Head Start monitors. Regional offices which have made funds available for monitoring staff to visit programs more frequently than once every three years have had their "surplus" travel budgets reduced. The Committee is encouraged by ACYF's attention to this problem, and calls on the Secretary to recognize the importance of reversing these disturbing trends. To assist the Secretary in this effort, section 105 allows a portion of Head Start training and technical assistance funds to be used for the expenses of reviewing Head Start programs (except the cost of compensating Federal employees).

The Committee urges the Secretary to recognize the value of interim visits to all Head Start programs. While struggling programs require additional attention from Federal monitors, visits by Federal staff provide a form of accountability which is important to all Head Start agencies; it is for this reason that the National Head Start Association has endorsed annual review visits. The Committee is aware of successful programs which need guidance from Federal specialists as they grow to adjust to new management complexities and maintain their high quality services. Federal resources should not focus exclusively on programs which are now struggling to the extent that other, currently adequate, programs are jeopardized. While the Committee understands the Department's desire to maximize limited resources through effective targeting, the Committee believes that effective prevention efforts can save money and programs.

Quality improvement process and termination of grantee status

The Committee recognizes the need for an equitable process which allows Head Start programs an opportunity to address quality deficiencies but which terminates programs which can not meet minimum requirements. Section 108 establishes a process for defunding such programs. If a program falls short of minimum standards, the Secretary shall notify the program of the deficiencies found. The Secretary may require immediate correction, or, depending on the seriousness of the problem and the time reasonably required to correct it, may allow the program to develop a quality improvement plan. This plan shall be developed by the program in a timely manner, and approved by the Secretary or returned for amendment within 30 days. A timetable will be established to document the dates by which each problem must be corrected. Training and technical assistance will be provided to assist in developing and implementing the quality improvement plans.

No deficiency will be permitted to persist beyond 1 year of the date on which the agency was officially notified of the problems. If the agency fails to correct the deficiencies within the time specified in the quality improvement plan, the Secretary shall initiate proceedings to terminate that agency's designation as a Head Start grantee.

Grantees which feel that their funding has been terminated, suspended or reduced unfairly may appeal the decision in an administrative hearing. Section 113 provides that, should the Secretary's action be upheld in the hearing, such action shall not be stayed while a judicial appeal of the administrative decision is pending.

The Committee intends by this process to ensure quality services, and not to deny services to a community served by a poor performing grantee. An interim grantee may be appointed to insure continuity of quality program services. The Secretary shall work to identify a more capable grantee and provide, to the greatest extent possible, a smooth transition of services from one grantee to the next.

Indian Head Start Programs

The Committee wishes to acknowledge the special status of the American Indian Head Start programs. The Committee recognizes the sovereignty of Indian tribes and their subsequent right or self-determination. Consistent with the United States' trust responsibility for the education of Indian peoples, the Congress has since 1966 authorized Indian tribes to operate Indian Head Start programs. Tribally-operated Indian Head Start programs are overseen by the American Indian Programs Branch of the Head Start Bureau, and are subject to the same regulations that govern all other Head Start programs. The Committee also affirms its support for the current Federal structure which has established a separate region, Region XI, for Indian Head Start programs. In the past, consideration has been given to dismantling the Indian Head Start region and grouping Indian Head Start programs with other Head Start programs in each State. The Committee applauds the decision to retain a separate region for Indian Head Start programs.

Many Indian Head Start programs face barriers which are common to Head Start programs in extremely rural and isolated areas. However, due to the language of the statute and the tribes' status as Head Start grantees, Indian Head Start programs have also faced obstacles which are unique to their situation. The Committee wishes to acknowledge the hard work of the National Indian Head Start Directors' Association to bring the needs of Indian Head Start programs more fully to the attention of the Committee. The Committee also wishes to thank the Indian Affairs Committee, and its Chairman, Senator Inouye, for its support of the Indian Head Start programs. The Committee intends to address in S. 2000 the difficulties created by outdated statutory language and the unique position of the Indian Head Start programs.

Indian Head Start Service Area

Current statutory language referring to an "Indian reservation" as the service area for Indian Head Start programs has been interpreted to mean that Indian Head Start programs may only serve children living within reservation boundaries. As Indian economic development progresses and many Indian people who had left the reservation return, housing on the reservation is often insufficient. Many tribal members must live near the reservation. The Committee understands that Indian children living near the reservation are often denied services by non-Indian Head Start programs, and that the families would prefer to have their children served by Indian Head Start programs. Section 102 amends the statutory language to refer to Indian tribes rather than Indian reservations, and to clarify that children living near the reservation should be included in the Indian Head Start programs' service area. This amendment will also make it possible for Federally recognized tribes which do not have reservations to provide Indian Head Start services, and to make it possible for consortia of small tribes on small reservations to provide Indian Head Start programs to their children. In changing the statutory language, the Committee does not intend to interfere with or undermine the Head Start Bureau's practice of designating geographic service areas.

Eligibility determination

The Committee recognizes the large numbers of Indian children and families who reside in urban areas and who are currently afforded few, if any, opportunities for culturally-appropriate early child development programs. The Committee intends that, consistent with current law, these urban Indian communities may apply for program funds on a competitive basis with other regional Head Start programs, and that programs established may utilize culturally relevant curricula.

Many Indian Head Start programs, like most other Head Start programs across the country, have long waiting lists of eligible children who are not being served. But in a few Indian Head Start programs, economic development has reduced the number of children eligible for services to the point where the program's continued viability is jeopardized. No other Head Start program in the country faces similar circumstances. The Committee believes that Indian Head Start programs should not be closed because they currently lack sufficient income-eligible children.

In many cases, Indian Head Start programs provide the only early childhood development program or child care available to Indian preschool-aged children. Although their parents may now be above eligible income levels, many Indian children have spent their earliest years living in poverty. The Committee is concerned that defunding these programs would deny services to needy children. The Committee does not believe that Indian children should suffer for their tribes' efforts to promote economic development. The Committee is also concerned that economic development practices such as Indian gaming may prove to provide short-lived economic benefits to the Indian community. As they apply to Indian programs, current Head Start regulations regarding eligibility may require the short-sighted practice of closing effective programs operated by skilled and experienced staff.

In order to address this problem, section 111 creates a procedure by which, under limited circumstances, Indian Head Start programs may have the limit of 10 percent of over-income children waived. Indian Head Start programs must serve all income-eligible tribal children living on or near their reservations, as applicable. However, under section 111, any slots which remain open may then be filled by children whose family income exceeds the income guidelines, as long as the program continues to serve predominantly income-eligible children.

The Secretary shall work with the tribes to develop regulations regarding how the additional over-income children are selected. Section 111 also clarifies that Indian Head Start programs shall be allocated expansion funds based on the number of unserved, income eligible children in their service area. No Indian Head Start program which is allowed to fill slots with more than 10 percent of over-income children will be given funds to expand services. Nor shall Indian Head Start programs have their current number of Head Start slots reduced. It is the intent of the Committee that Indian Head Start programs shall not be penalized for having additional over-income children as long as they serve predominantly income-eligible children.

In the Report accompanying the 1990 Head Start reauthorization, this Committee discussed the problems which Indian economic development efforts poses for many Indian Head Start programs and families. In that Report, this Committee stated its belief that many of the adults employed under Department of the Interior and other programs obtained minimum-wage, entry level jobs. In many cases, children continue to be educationally deprived and at-risk, yet their family income makes them marginally ineligible for Head Start services. The Committee hereby reiterates its request to the Secretary to work with Indian Head Start programs to address this eligibility issue.

It is this Committee's understanding that some tribes may have been led to believe that the poverty of access language contained in 42 U.S.C. 9840(a)(2), commonly known as the "Gravel Amendment," is only applicable to Alaska Native villages. However, the testimony of Ms. Helen Taylor, Associate Commissioner of the Head Start Bureau, Administration for Children, Youth and Families, Department of Health and Human Services, before the March 25, 1994 joint hearing of the Committee on Labor and Human resources and the Committee on Indian Affairs regarding Indian Head Start programs, established that DHHS has established no geographic restrictions to that statute. The Committee expects the Secretary to consider appropriate applications from Indian Head Start programs and other rural Head Start programs for funding under the conditions delineated by the Gravel Amendment.

It is an important objective of this Committee to encourage and foster the Federal government's longstanding policy of self determination for Indian tribes. It is the understanding of this Committee that, under the provisions of the Indian Self-Determination act (25 U.S.C. 450 et seq.), Indian tribes are authorized to plan, conduct and administer Head Start programs or portions of Head Start programs. The Committee requests the Secretary to ensure that the policies of the Head Start bureau regarding tribal requests to administer Head Start programs are consisent with Federal law as expressed in the Self-Determination Act.

Designation of grantee agency in cases of defunding

The Head Start statute includes a provision that no grantee agency which has operated a Head Start program and been defunded may apply again to become a Head Start grantee. In most areas, if one non-profit agency operating a Head Start program is defunded, another non-profit can be designated to continue services to that community. This is not the case where Indian tribes are concerned. If a tribal program is defuned for any reason, whether quality-related or not, the tribe can never again apply for Head Start funds. Under current law, the effect of defunding an Indian Head Start program is to permanently deny Head Start services to any member of the tribe. This would have a severe impact on Indian families, as in many cases, Head Start is the sole early childhood development program available to Indian children.

The Committee believes that this provision has an unfair and unintended impact on Indian Head Start programs and Indian communities. Section 113 amends the law with a provision that, should a tribe be defunded for reasons to program quality or fiscal management, the tribe may set up an organization of tribal members to apply for and operate a Head Start program. This new tribal entity may receive funding provided that the administrative and program staff responsible for the quality or fiscal management deficiencies in the previous program are not a part of the new entity or the operations of the Head Start programs. New tribal entities will be designated as Indian Head Start grantees subject to such regulations as the Secretary, in consultation with the tribes, shall determine. To the extent possible, however, the Committee believes that concerns regarding Indian Head Start program quality should be addressed by provision of additional technical assistance prior to the pursuit of a refunding procedure.

Hiring preference for Indian Head Start bureau positions

The Committee applauds the efforts of current and past Administrations to hire Indian tribal members to work in the American Indian program branch of the Head Start Bureau. The Committee affirms its belief that Indian tribal members who have an understanding of Head Start and Indian community needs have a valuable contribution to make to the administration of Indian Head Start programs. The American Indian program branch of the Head Start Bureau is the only Indian-related branch of the Department of Health and Human Services which does not have a standard statutory hiring preference for members of Indian tribes. Therefore, section 110 creates such a standard hiring preference. The hiring preference which is created gives the same type of preference to tribal members applying for a position in the American Indian program branch that current Office of Personnel Management procedures give to veterans.

Facilities

Obtaining safe and appropriate facilities for Indian Head Start programs is extremely difficult, as facilities of any kind are often in short supply on reservations. Section 110 of the bill provides two new options to assist Indian Head Start programs in securing appropriate facilities in which to operate. Current law prohibits the purchase of facilities from the Head Start grantee agency. On reservations, the tribal government is the Head Start grantee agency, and, in many cases, is the owner of on-reservation property used for public purposes by tribal members. The Secretary may approve the purchase of suitable facilities from the tribal government at a price consistent with the fair market value of the facility. In such cases an independent determination of the fair market value of the facility to be purchased must be obtained. In addition, section 110 provides that, if appropriate facilities are unavailable for rent or purchase, and the lack of facilities is found to inhibit the successful operation of the program, the Secretary may approve the construction of facilities. The tribe must demonstrate that construction of facilities is more cost-effective than available purchase or renovation options.

Services to migrant children

Current Head Start regulations permit Migrant Head Start programs to serve only the children of migrant and seasonal farmworkers who have been transitory with in the past year. This excludes the children of agricultural workers who have not been migrant within the last twelve months, but whose children have many of the same needs as those served under current guidelines. The Committee urges the Secretary to expand eligibility to enable seasonal families engaged in agricultural work who have been migrant within the past three years to be eligible for Migrant Head Start program services, with priority given to those families which are the most mobile. The Committee also urges the Secretary to use the 0–3 performance standards developed by the working group to guide the infant-toddler services funded through the Migrant Head Start program.

Services to children with disabilities

The Committee acknowledges the special needs of children with disabilities and their families, and the importance of providing training and technical assistance to Head Start staff in this area. The Committee believes that children with disabilities are entitled to the same high expectations and treatment offered to their peers without disabilities, and that the exclusion of children with disabilities from any aspect of the Head Start program is unacceptable. The Committee is concerned that many children with severe disabilities are still underserved by the Head Start program.

The Committee expects that Head Start programs will take active steps to ensure that children with a range of disabilities will be included in Head Start programs, and that the Secretary will take steps to provide necessary training and support to Head Start programs to enable them to do so. Such training and technical assistance should include training classroom teachers and non-classroom staff in providing services to children with disabilities, and should address parenting skills particular to parenting children with disabilities. The Committee intends for the Head Start 0–3 initiative to coordinate with Part H services under P.L. 99–457 to provide for coordination of these comprehensive early intervention efforts. Community-based organizations with expertise and experience in providing services to children with disabilities should be used as mentors and T & TA providers in developing and modeling best practices in serving children with disabilities. The Committee also encourages the Secretary to work with these groups, as well as with Head Start providers, to be certain that children with disabilities are represented in research and demonstration efforts.

Transition coordination with schools

It is no surprise to discover that even the highest quality Head Start programs can not inoculate children against the disadvantages of poverty. Many parents, educators and political officials have now come to recognize the critical nature of the transition from Head Start to public school.

The Committee recognizes that transition activities are a partnership in which the Head Start and local education agencies must cooperate. Placing the burden of transition requirements solely on Head Start programs can not bring about the collaboration needed for success. The Committee recognizes the importance of transition activities undertaken by both Head Start programs and local education agencies. While the Head Start transition requirements are outlined in section 109, the Committee intends to establish similar requirements for local education agencies receiving Chapter I funds through the Elementary and Secondary Education Act when it too is reauthorized later this year.

Section 109 establishes several basic, minimum transition activities required of all Head Start programs. Head Start must coordinate with LEAs to transfer necessary records from Head Start programs to the schools. In establishing this requirement, the Committee does not intend for Head Start staff to be required to xerox every sheet of paper in every student's file for delivery to the local public school. Important records which will better enable elementary schools and teachers to serve their children should be transferred without creating undue administrative burden on and cost to Head Start programs. The Committee requests the Secretary, in consultation with Head Start and elementary school staff, to develop appropriate guidelines in this area.

Section 109 further requires that each Head Start program establish channels of communication with LEAs and with the schools that its children will attend in kindergarten or first grade. Head Start programs must work with the schools to facilitate meetings between Head Start parents and elementary school teachers and officials to help to explain registration processes, administrative procedures, and other relevant information about which parents have questions. Head Start and elementary school teachers and administrators should participate in joint training around transition activities, issues, and obstacles. Head Start programs must provide training for parents regarding their rights and responsibilities within the public school system, and steps they can take to help their children do well in school, particularly with respect to Chapter I services. It is the Committee's belief that, where practicable, this training should be conducted jointly by Head Start and elementary school or LEA staff.

In addition to the transition activities which must be undertaken by all Head Start programs, section 104 strengthens the Transition Projects. These projects identify cohorts of children in Head Start programs and provide services to them through the third grade. Two cohorts of students in the Transition Project have made the transition from Head Start to kindergarten. The original Federal Register description of the project called for three cohorts of children. It is the belief of the Committee that this third cohort is needed to develop more fully the Projects' knowledge and understanding of best transition practices and of the changes in both Head Start and elementary schools needed to support the institutionalization of transition activities. Therefore, section 104 reauthorizes the Transition Projects for the next 4 years, allowing this third cohort of children to make the transition from Head Start to elementary school and receive the required services through the third grade.

It is the Committee's understanding that several changes in the Project requirements, including increases in the number of children required to be served, were made after Transition Project grants were awarded. Many of these changes resulted in increased costs. Therefore, the original set-aside of $25 million may be inadequate for current projects to provide all of the required services. Section 104 raises the set-aside to $35 million. The Committee understands that some of these funds may be used to disseminate the knowledge gathered by these Transition Projects to other Head Start and LEA programs, staff and parents. The funds may also be used for other transition-related activities, such as educating non-Transition Project school district and Head Start staff in transition practices.

Capital expenditures for facilities and vehicles

Under current law, Head Start programs are not permitted to borrow funds for major capital expenditures. Programs may purchase and renovate facilities or purchase vehicles only if funds are available through the Regional Office for them to do so. The cost of buying and renovating a facility often exceeds the cost of constructing one, and suitable facilities may not be available for purchase or renovation, particularly in rural areas and Indian reservations. The Committee believes that Head Start programs should be able to use debt as a way to manage the acquisition of facilities, necessary renovations, and the purchase of vehicles. This will increase Head Start programs' capability to manage their funding in a cost efficient manner. Therefore, section 110 allows the Secretary to establish regulations regarding the approval of Head Start funds for loans to finance the construction or renovation of facilities and the purchase of vehicles. In cases where the program applies to construct a building, the program must demonstrate that construction is more cost-effective than available purchase or renovation options. In addition, the Committee encourages the Secretary to promote collaboration and coordination through co-location of Head Start programs with other programs serving children and families, including public school facilities.

Duration of services

Many experts have come to realize that one year of Head Start at four years of age is too little, too late for many children. Historically, the Committee has recognized that providing services to children for more than one year is an important aspect of improving program quality, improving outcomes for children, and serving community needs, and called attention to this question in its 1986 and 1990 Committee Report. The Secretary's Advisory Committee also recommended allowing local Head Start programs the flexibility to provide more than a single year of services to children. The Committee is supportive of continuous services throughout the 0–5 age group and into elementary school. Section 111 clarifies that Head Start programs shall be permitted to provide more than a single year of services to eligible children.

Initiative for families with infants and toddlers

Every report on Head Start written since 1980 has included a recommendation that Head Start broaden its services to families with children under the age of three. Research conducted since Head Start was founded shows how critical the first 3 years of life are in establishing basic health and other fundamental elements for learning about self, others, coping mechanisms and problem solving skills. This research has led many to conclude that one year of Head Start at the age of 4 is too little, too late for many children.

A GAO study released in April 1994 found that, during the decade of the 1980's, the number of infants and toddlers living in poverty in the United States increased by 25 percent. Rural and urban areas were the hardest hit; in many cities, more than one-third of the children under the age of three are poor. American children under the age of four are more likely than any other age group to live in poverty. The Committee is concerned, as are many others, that increasing rates of poverty, violence, teenage pregnancy, and obstacles to health care are destabilizing the nurturing family environments needed to promote health child development.

The calls of educators and researchers for intervention before preschool age is echoed by some of the United States' highest law enforcement officials. Louis Freeh, Director of the Federal Bureau of Investigation, stated that, "The studies I've seen . . . the values and moral understanding of right and wrong is really solidified in three and four years olds . . . So I think that with respect to juvenile crime and children, we've got to start a lot earlier and a lot more effectively than I think we've ever done before."

Janet Reno, United States Attorney General, is a strong advocate for early intervention. She asks, "What good are all the prisons 18 years from now going to do if that child doesn't learn to have a conscience? Fifty percent of all learned human response is learned in the first year of life. What good is a great education going to be 12 years down the line if you don't have the foundation that will give you the opportunity for that education? As we come into communities and form a whole picture, not only do we have to make sure that there's a health care piece, but we've got to make sure that there is strong, constructive educare from the time of birth to Head Start."

The Committee recognizes the need for high quality, family-centered infant and toddler care. As more States require parents—even those with very young children—to work, participate in job training, or go to school in order to receive social welfare benefits, the need for quality care for low income, very young children, has become still more acute. The Committee applauds the Secretary's Advisory Committee for recognizing that a 0–3 initiative must now move forward.

The Secretary's Advisory Committee Report called on the Secretary to appoint a working group of 8–12 experts in the fields of 0–3, child development, family support, health, and related fields to design the programmatic aspects of the 0–3 initiative. S. 2000 implements this recommendation. Section 112 establishes a framework for the 0–3 initiative within which the Secretary's working group can proceed.

It is the intent of the Committee that participants in programs funded through this initiative be identified while pregnant or while their children are infants; however, flexibility should be allowed for programs to accept families in crisis even if they have slightly older children. The families served by a 0–3 program are often the same families served by Head Start. The Committee believes that all 0–3 programs should establish formal linkages with their local Head Start programs to ensure continuous, coordinated care for children until they reach compulsory school age. For this reason, the Committee believes that a 0–3 initiative established within the context of the overall Head Start program will best serve children and their families. If no Head Start program is available in a local community receiving a grant to provide 0–3 services, or if the service delivery areas are not synonymous, the Committee urges the Secretary to work with that grantee on options for ensuring continuity of services.

It is the belief of the Committee that researchers and providers currently serving families with very young children have gained considerable knowledge of how to serve these children and families effectively. In creating this 0–3 initiative, the Committee has worked diligently to balance the vast need for infant and toddler services with the need to create a manageable, high quality program. Section 105 creates a set-aside of 3 percent of Head Start funds in 1995. This figure will increase to 4 percent in 1996 and 1997, and 5 percent in 1998.

Services provided

S. 2000 establishes a broad framework within which the 0–3 initiative will be developed. Section 112 authorizes grants to be made to entities providing family centered services to low income families with children below the age of three. Children and families shall be provided with comprehensive, intensive educational, health and social services to promote child development and parental self-sufficiency. Section 112 requires 0–3 programs to coordinate with State and community programs for provision of some of these services; although the 0–3 programs may provide many services directly, for others it may act as a funder of last resort in cases where services are not available from other providers.

Parent-child centers

Over the past 25 years, 106 Head Start Parent-Child Centers nationwide have been established to serve families with infants and toddlers. The Parent-Child Center model was developed three years after the Head Start initiative began, and was the first program to practice early intervention with pregnant women and children under the age of three. The programs aim to assist parents in obtaining the knowledge, skills and resources needed to promote child development and growth, and to assist family members in attaining self-sufficiency and economic independence. Most early intervention programs developed since the inception of PCCs have adopted the prevention-based, dual parent-child focus first modeled by the PCCs.

Due to their long histories and belief in collaboration, many PCCs have established strong working relationships with local governments and programs serving families with very young children, including day care providers. These relationships should serve as a model for all 0–3 providers, and should be emphasized in the new initiative. The Committee believes that the expertise PCCs have gained in many aspects of serving families over the past 20 years has much to offer the new 0–3 initiative.

The PCCs have operated with no published performance standards, no evaluation or monitoring, little technical assistance and low per-child funding levels. Despite these obstacles, many have provided high quality, much needed services. In recognition of this history, the Committee believes that PCCs should be incorporated into the new 0–3 initiative. Section 112 creates a time-limited funding assurance within the 0–3 initiative for the PCCs through 1997. It is the intent of the Committee that the PCCs should be given adequate resources, including such training, technical assistance, and monitoring as may be necessary, to operate under the 0–3 performance standards and demonstrate their capabilities.

In 1997, the PCCs will compete for 0–3 funding for 1998. It is the intent of the Committee that the priority given to programs with a record of providing early, continuous, and comprehensive child development and family services shall be applied to high quality PCC programs competing for funds under the 0–3 initiative. It is the belief of this Committee that many PCCs have a demonstrated track record of effectively serving children and families for a decade or more. The Committee believes that other PCCs which have struggled in the past, will flourish during this 3-year period with adequate resources and attention. These PCCs will become highly competitive when they apply for grants to continue their work. Finally, the Committee recognizes that PCCs have the ability to ensure continuity of services to children ages 0–5 and their families, and believes this makes high quality PCCs very competitive.

Comprehensive child development programs

In 1988, the Comprehensive Child Development Centers were created to demonstrate the effects of providing intensive, comprehensive and continuous services to families and children ages 0–5. A first cohort of 24 CCDPs was selected to begin its work; the 1990 Head Start legislation reauthorized the CCDPs and created a second cohort of 10 programs. An extensive evaluation was required by law, and a control group was carefully selected so that the effects of the program would be clear.

CCDP was required by original authorizing law to provide services which enhance the physical, social, emotional and intellectual development of infants and children, including health services, child care, early childhood development, early intervention for children with or at risk for developmental delays, and nutrition. Services to parents and other family members include prenatal care, education in infant and child development, health, nutrition and parenting, referral to adult education, employment and job training, assistance in securing adequate income support, health care, nutrition, and housing.

Four key elements comprise of CCDP model of providing these services. The first element is the case worker approach. A case worker spends time each week visiting the family in the home and assisting the parents in setting family goals. The case worker might model child development activities and teach parenting skills, address money management techniques or a family member's drug addiction. The second element of the model is the long-term services. Families develop a trusting relationship with the caseworker and with the program. This foundation of trust has been directly linked to successful family intervention. The third piece of the CCDP model is the program's community collaboration and resource and referral services. The last aspect of the model is the program's ability to act as funder of last resort: should local child care or WIC resources be exhausted, the CCDP is authorized to fund necessary services.

The evaluation of the CCDP programs is ongoing, but this Committee has received copies of the interim report to Congress. Based on three years of data, the evaluation determined that CCDP children score higher on developmental tests, weigh more at birth, and are less likely to require special medical care than their control group counterparts. CCDP parents spend more time with their children, respond more appropriately to their children's behavior, and are less likely to express attitudes and beliefs which have been linked to child abuse. More recent statistics compiled by programs showing data for four years of participation are still more impressive. While participating in CCDP, the number of adults working rose by 100% or more, while average family income in many programs increased by several hundred percent.

The CCDP authorization expires in 1994. The Committee recognizes the success of these programs and applauds the work they and their staffs have accomplished. The Committee affirms its support for the CCDP programs, while recognizing the need to consolidate programs serving young children under a more seamless system of child development and family support. It is the belief of this Committee that CCDP programs can best continue to serve children and families in the context of the Head Start 0–3 initiative. Therefore, S. 2000 consolidates the Comprehensive Child Development Programs in the 0–3 initiative.

It is the intent of the Committee that the second cohort of CCDP which has not yet completed its demonstration cycle be permitted to do so. Funding levels comparable to the 1994 level should be made available to the second cohort CCDP programs. The CCDP model should not be changed, and the evaluation which has begun should continue through the fifth year of the program. Once the demonstration period has elapsed, the second cohort CCDP programs may compete for 0–3 funds to provide services following one of the models developed by the Secretary's working group. It is the intent of the Committee that the priority given to programs with a record of providing early, continuous, and comprehensive child development and family services shall be applied to high quality second cohort CCDP programs competing for funds under the 0–3 initiative.

Like the PCCs, first cohort CCDP programs whose demonstration period ends in FY 1995 will receive 0–3 funding through 1997 while they adapt their service model to the new 0–3 initiative. CCDP programs may then compete for 0–3 funding to continue services under one of the models developed by the Secretary's working group. It is the intent of the Committee that the priority given to programs with a record of providing early, continuous and comprehensive child development and family services shall be applied to high quality first cohort CCDP programs competing for funds under the 0–3 initiative after 1997.

Working group

The Advisory Committee has called on the Secretary to appoint a group of experts to develop the programmatic aspects of this initiative. It is the intent of the Committee that no changes should be made to existing programs which are currently serving infants and toddlers, including the PCCs and CCDPs, and no expansion should occur until the guidelines are established by this working group. The Committee believes that a careful, methodical approach to developing the 0–3 guidelines is required, but must be balanced by the very real and pressing needs of children and families for this type of care. It is the belief of the Committee that the guidelines and philosophy of the new initiative can be built on the knowledge and experience of existing 0–3 programs. Performance standards to ensure quality can draw from the 0–3 performance standards which have already been written and updated will provide a basis for further development.

The Committee believes that much is known about how to serve young children and their families effectively. The Committee urges the Secretary's working group to draw on the knowledge and experience of the Parent-Child Centers, the Comprehensive Child Development Centers, the Migrant Head Start programs, and other 0–3 providers as its work proceeds. The Committee urges the Secretary to appoint to the Committee at least one practitioner from each of the Migrant Head Start, PCC, and CCDP programs.

The Committee urges the Secretary to establish the working group as soon as possible. It is the intent of the Committee that funds to begin the 0–3 initiative should be available to serve children and families in the 1995 fiscal year. Section 112 requires that the Secretary's working group make the broad programmatic guidelines of the 0–3 initiative available by September 30, 1994. Researchers and program planners have assured the Committee that these policy determinations can be made effectively within this timeline. Section 112 further requires that the performance standards and request for proposal based on these guidelines be published no later than December 30, 1994.

Section 112 provides that the Secretary shall use 0–3 funds to provide training and technical assistance to grantees as necessary. The Committee feels that the Secretary's working group should determine the grant period of 0–3 grants and the most appropriate monitoring and recompetition processes. Therefore, no specific procedures have been established in the bill for 0–3 grantees. It is the belief of this Committee that, should the working group decide not to recompete 0–3 funds periodically, the Secretary should establish monitoring and defunding procedures which are comparable to those established for Head Start programs.

Secretary's mediation process

The Committee has become aware of several situations where the Head Start program staff or Policy Council and the executive director or board of the grantee agency have come into conflict over issues dealing with budget approval, parent participation, and other aspects of the operation of the Head Start program. In some cases, these conflicts have severely impaired the ability of the Head Start program staff to serve children and families. The Committee believes that the Secretary must take action to address these conflicts in a timely fashion as they emerge.

Section 113 contains provisions for a mediation process to be developed. Under procedures to be established by the Secretary, the Secretary shall be notified when a significant dispute arises between the Head Start Policy Council and the grantee executive director or board. The Committee believes that the administrative hearing process surrounding adverse actions can be prevented in some cases through effective mediation efforts begun in response to warning signals. For example, the Committee has been alerted to the fact the programs which request more than one extension of their grant application submission deadline are often involved in such a conflict. The Committee believes that the Secretary should, either directly or by referral, attempt to mediate and settle these disputes. In the event that resolution appears unlikely and an administrative hearing regarding noncompliance issues is required, the Secretary shall establish a maximum time period which may elapse before such an administrative hearing shall be concluded.

In creating this process, the Committee does not intend to require the Secretary's intervation in minor differences of opinion which regularly occur and which are properly the realm of program managers to settle. It is the Committee's intent to ensure that significant conflicts which threaten the provision of services to children and families will receive prompt attention. The Committee believes that resources should be made available to resolve disputes in the best interests of children and families.

Goals and priorities for training and technical assistance

Training and technical assistance is an important part of any quality initiative. To be certain that quality concerns are addressed, section 114 establishes the following priorities for T & TA:

Programs with identified deficiencies

Programs which have undergone review and are addressing identified deficiencies receive priority for T & TA resources under section 114. T & TA should assist programs in developing and implementing their program improvement plans and in raising quality to meet or exceed minimum performance standards.

Expansion

Programs which are expanding, and are often required to adapt management practices and structures to larger, more complex programs, receive priority for T & TA resources under section 114. T & TA should assist programs in identifying and meeting local needs, and to enhance training and career development opportunities for Head Start staff.

Community needs assessments

The Committee feels that Head Start is strongest where it can adapt to best meet community needs. Therefore, T & TA resources should also be directed towards assisting Head Start programs in successfully designing and implementing community needs assessments. Other local community service providers should be encouraged to participate in, and be directed by, the community needs assessment.

Management

The Committee wishes to express its belief that the common Head Start practice of hiring former teachers and family service staff as program administrators and directors contributes to the strength and quality of the Head Start programs. Nevertheless, the Committee recognizes that such staff may have little training or experience in program management. As programs grow and expand, management practices necessarily become more complex and demanding. Section 114 focuses T & TA resources on assisting programs to develop sound and efficient management practices, including financial management practices. Assistance in procuring or renovating safe, appropriate and licensable facilities is also identified as a priority for T & TA attention.

Additional T & TA issues

The Committee acknowledges that the training and technical assistance system which is currently in place is operating under a new contract and is still evolving toward its final form; however, the Committee understands that this system was designed and implemented by HHS central office staff without consulting the National Head Start Association, Head Start programs, or Regional Office Head Start staff. The Committee has been informed of many local staff's concerns that the current T & TA system fails to meet the needs of many Head Start programs. The National Head Start Association has endorsed a program which would establish a more accessible office in each State as a satellite to the current regional system. The Committee urges the Secretary to work with Head Start programs, training and technical assistance providers, and Regional Office staff to make the T & TA system more useful.

The Committee also wishes to direct attention to the special needs of Indian and Migrant Head Start programs for training and technical assistance. Many Indian Head Start programs are extremely isolated, and have no local resources to turn to for assistance. Migrant programs operate on a 14-hour per day schedule with seasonal differences for delivery of services. Both experience high rates of staff turnover, which increases the need for staff training. Unlike other Head Start programs, which receive training and technical assistance from regionally-based contractors, single centralized contractors serve all of the Nation's Indian, and all of the Nation's Migrant, Head Start programs.

While Indian Head Start programs report that the training they receive from their contractor is generally of high quality, the contractor's capacity at current funding levels is inadequate to meet the needs of Indian Head Start programs. Currently, 20 percent of the Indian Head Start programs are identified as being "at-risk" regarding quality. New Head Start directors may have to wait as long as three years before they can receive training in the performance standards. Migrant programs face similar problems. The Committee urges the Department to work with the Indian Head Start programs, Migrant Head Start programs, and the T & TA contractors to develop a system of T & TA which can provide timely and effective assistance to Indian and Migrant Head Start programs in need of T & TA. In addition, the Committee urges the Secretary to explore the feasibility of including Indian and Migrant Head Start program staff in all appropriate T & TA activities which are held in the geographic area by the regional T & TA contractor.

Several additional areas where T & TA resources would be appropriate are not explicitly delineated in statute. The Committee encourages the Secretary to assist programs in developing home-based, mobile, and other innovative program models where they are appropriate to meet the needs of the local community.

It has come to the attention of the Committee that HHS policies regarding the use of T & TA funds for purchase of video and computer programming resources have been implemented in an inconsistent fashion. The Committee would like to state that such use of funds is authorized by law, and requests that DHHS implementation policy be standardized in this area. The Committee is also aware of national initiatives which utilize educational programming as the basis for interactive reading and developmentally appropriate related activities, assisting families to become their children's first teachers, and for training day care providers to utilize visual arts and media as educational tools. In the context of pursuing this bill's goals of enhanced parental involvement, improved teacher training, and overall quality improvement for early childhood education, the Secretary is encouraged to integrate such initiatives into Head Start staff training programs. The Secretary is also urged to consider funding for related outreach and training activities. The Committee urges the Secretary to work collaboratively with the Secretary of Education to maximize the availability to Head Start providers of the materials developed under the Ready to Learn Act.

Supporting basic literacy training and literacy-rich classroom environments is one of the most important ways in which Head Start can help ensure that children enter school "ready to learn." Research on literacy and how children learn to read has demonstrated that the early childhood years are a key period of preparation in the area of reading and writing. The Committee is aware of an effort to train Head Start teachers in how to familiarize children with basic concepts which are a prerequisite for future success in learning to read, write, and communicate. The Committee encourages the Secretary to make such training available to all appropriate Head Start staff.

Many rural and isolated Head Start programs have informed the Committee of the success of a current long-distance learning project conducted through a grant administered by the Secretary. This project serves rural Head Start programs across the country, providing interactive training to staff who often have no other training opportunities. The Committee understands that although the current grant expires in September of 1994, the Secretary is working to ensure the provision of this type of service for at least one additional year. The Committee believes that long-distance learning capabilities are an important use of training and technical assistance funds. The Committee encourages the Secretary to pursue this type of assistance, particularly where it is conducted in cooperation with local colleges and participating staff are awarded college credit for successful participation.

Staff qualifications and development

Head Start employs over 100,000 dedicated staff members to provide the educational, medical and social services which comprise the program. The quality of Head Start programs is dependent upon staff quality, and staff development continues to be a high priority of this Committee. Nationally, one-third of Head Start staff are current or former Head Start parents. The Committee wishes to reaffirm this critical aspect of the Head Start program, and to emphasize that staff development initiatives are intended to facilitate, not prevent, parent participation in, training by, and career development through, Head Start.

CDA requirement

The Committee applauds the Head Start community for having established a transferrable credential, the Child Development Associate credential, for Head Start staff. The Committee encourages the Secretary to work with colleges and universities across the country to establish college credit for this and other aspects of Head Start training. In addition, the Committee strongly encourages the Secretary to re-evaluate the current limitation on bi-lingual CDA certification, which is offered in Spanish only. Speakers of other languages, including those of indigenous American populations (Native Americans, Alaskan Natives, and Native Hawaiians) should similarly be certified as bi-lingual.

In an effort to focus attention and resources on career development, the 1990 legislation required every Head Start classroom to have at least one staff person who had qualified for and received a Child Development Associate (CDA) credential or more advanced degree. Due to a huge effort on the part of Head Start programs and staff across the country, thousands of staff have received their CDAs in the past 4 years. However, due to the equally large expansion of the program, there are still inadequate numbers of CDA-qualified staff to hire one for each program. Therefore, section 115 extends the deadline for the one-staff-per-classroom requirement to 1996. It is the belief of the Committee that, given the staff development resources provided, this deadline is reasonable and can be met.

Mentor teacher program

Staff development should be treated as a process, one that continues both before and after the attainment of the CDA. Research has shown that in-service training is the most effective way of promoting staff development. In order to take advantage of the resources which currently exist in many Head Start programs, section 115 establishes a mentor teacher program. The Secretary is directed to establish guidelines for this program, including provisions encouraging the use of mentor teachers. Head Start programs will identify highly qualified and experienced individuals currently teaching within their program. The Secretary is urged to ensure that resources are available to allow mentor teachers to supervise other teachers in the Head Start program, giving feedback on their teaching practices, or to allow teachers to work in and observe the mentor teacher's classroom. The Committee intends this program to be used both as a method of training teachers which can be practiced even by rural and isolated programs, and as a "rung" on the career ladder of Head Start education staff.

Family service workers

While certification programs for education staff are will developed the Committee recognizes that programs for family service workers are much less developed. The family service aspect of Head Start has become even more important that it once was, as violence, drugs, and other social problems have greater impact on communities. Therefore, section 115 directs the Secretary to develop qualification standards for family service workers, and to promote the development of model training curricula and a national family service worker credential. The Secretary shall consult with Head Start representatives, appropriate professional organizations, and other experts while developing such curricula and credential. Family service workers are central to "family centered" programs, and have not received adequate investments, attention and recognition. The Committee urges the Secretary to give this essential component of Head Start the attention it deserves.

Head Start fellowship

In order to further promote staff development, exchange of best practices in child development and family services, and exchange of ideas among program staff, academics, and policymakers, section 115 establishes a new "Head Start fellowship" program. This fellowship, which is open to Head Start staff and staff in other child care and family service programs, is intended to provide funding for service providers to spend a year developing their skills and furthering their knowledge in an arena which is slightly different from that with which they are the most familiar. Fellowships may be used to support work at the Federal, State or local government level, at institutions of higher learning, or other public or private entities concerned with services to children and families. The fellowships are available for one year and renewable for no more than on additional year. The Committee intends through this program to promote cross fertilization of ideas and best practices. Head Start fellowships may not be used for placement in organization whose primary purpose is to lobby on behalf of Head Start or other child care programs.

Model staffing patterns

The Committee shares the Advisory Committee's concern about increasing caseloads for family service and other Head Start staff. Section 115 requires the Secretary to develop model staffing patterns which establish maximum recommended caseloads which are consistent with current knowledge about best practices in family service. The committee expects the Secretary to take all necessary steps to make implementation of these model staff patterns in all Head Start programs possible.

Research, demonstrations, evaluation and reports

Head Start has long served as a national laboratory for best early childhood practices. It is the belief of the Committee that Head Start has much to contribute to the wider child development and child care community. As a program which services our nation's most vulnerable children, it is critical that Head Start also test and incorporate the best early childhood practices identified by other providers in the early childhood community. For all of these reasons, the Committee feels that a substantial and careful research program in Head Start has much to contribute to the child development and family services community at large.

Section 116 outlines several aspects of this research effort. It is the Committee's belief that research should be coordinated by the Secretary, to ensure that funds will be spent in the most efficient and effective manner. Section 116 requires the Secretary to develop a comprehensive research plan to guide research projects and funds. Research should be focused on ways to assess quality and effectiveness, enhance knowledge of child development and best practices to promote it, and compare Head Start practices and outcomes to those of children participating in non-Head Start programs or those children unserved by any program. The Committee urges the Secretary to consider the quality of individual programs when evaluating and reporting research findings.

Since Head Start was created nearly three decades ago, a limited number of longitudinal studies have been conducted on the program. The Committee believes that as the Federal Government continues to address the complex problems faced by at-risk children and their families, it should fully evaluate the long term effects of the program on those children and their families. In conducting research, demonstration and evaluation activities, the Committee considers it a priority that the Secretary conduct longitudinal research on Head Start designed to address the questions of what works for whom and why. Such longitudinal research should take into consideration the research recommendations of the Advisory Committee on Head Start Quality and Expansion and the recommendations set forth by previous expert advisory panels that have examined Head Start's research needs.

The Committee is concerned that rising numbers of parents who are working, going to school or in training have made some of the traditional forms of parent participation used by Head Start programs difficult or obsolete. The Committee urges the Secretary to research best family service practices, including developing ways to better integrate parent and community participation. The Committee also recommends that Head Start parents be directly involved in the formation of these research projects.

The Committee is also concerned that research conducted by the Secretary be conducted in ways which are consistent with broader Head Start practices. The Committee wishes to discourage the use of control groups in situations where children and families who would otherwise receive services are denied access to them for scientific purposes. Wherever possible, parents should be involved in the design and implementation of research efforts. Greater efforts to disseminate the results of studies in a timely fashion must be undertaken, so that all programs can benefit from their findings.

Study of benefits

Despite the encouragement of the Head Start bureau, many Head Start programs are still unable to provide basic benefits, including health benefits and pensions, to their staff. Numerous Head Start programs have long-term staff of twenty years or more. Section 120 requests the Secretary to conduct a study and prepare a report concerning providing benefits to Head Start staff, including the feasibility of including Head Start staff in Federal, State, and local pension programs.

Automatic eligibility for Child Care Nutrition Program

The Child and Adult Care Food Program and School Lunch program provides food to low income children in child care and schools. All children who are income-eligible for Head Start are eligible to receive food from these programs; however, Head Start staff spend considerable amounts of time and energy on paperwork to establish that their children are in fact eligible to participate. Section 121 makes all children who are eligible for Head Start automatically eligible for both food programs without a further eligibility determination. This provision has no additional cost, but will save Head Start programs a considerable amount of staff time and effort. The Committee encourages the Secretary to work with other State and Federal programs for low income children and families to establish automatic eligibility for Head Start children wherever feasible.

Ready to learn

The Committee has included the reauthorization of the Ready to Learn Act as part of this legislation because of its strong focus on early interventions that support the goal of school readiness for young children. The Ready to Learn Act builds on the almost universal access to television of all American children, and the need to utilize all opportunities to offer quality educational fare to help children gain the skills and perspectives that will benefit their school readiness. Television has the capability to be a remarkable teacher, and the 14 billion hours our preschoolers spend in front of television annually can be a resource for developing early learning. The Committee recognizes the long track record and ongoing commitment of public broadcasting in the area of children's educational programming. The Committee encourages the Secretary to collaborate with public telecommunications entities in the development and broad dissemination of materials under this Act.

The Ready to Learn Act also recognizes the critical role of parents and child care providers as children's first teachers. The legislation also includes grants to develop and distribute training materials to parents, child care and Head Start providers, and early childhood educators to enhance knowledge of child development. The Committee encourages the Secretary of the Department of Education to collaborate with the Secretary of the Department of

Health and Human Services to promote awareness of materials developed under Ready to Learn among Federally supported child care programs.

State Dependent Care Block Grant and CDA scholarship

The State Dependent Care Block Grant is an important source of funding for State-based resource and referral agencies which help families, particularly low-income families, find safe, affordable and available child care. The Child Development Associate scholarship program assists low-income child care workers, often Head Start parents, to complete the training and certification process necessary to attain their credential. Sections 123 and 124 reauthorize these programs for one year, when the Committee will reconsider them in the context of the Child Care and Development Block Grant.

TITLE II—COMMUNITY SERVICES BLOCK GRANT

Authorization

The Committee believes that the Community Services Block Grant is underfunded. Even without considering inflation, the appropriation level for the program has declined since its creation in 1981. The Committee has recommended an authorization of $525 million for fiscal year 1995, which it believes constitutes adequate funding for the program.

Discretionary programs

To cut down on administrative burden and consolidate programs with similar missions and functions, section 203 of the bill contains a number of changes to the small discretionary programs authorized through the CSBG act. The Committee, however, did not adopt the Administration's proposals in this area.

The Administration proposed retaining a Secretarial discretionary fund but stripping out all of the priorities for that fund inserted into the statute by Congress over the years. As the Administration envisioned it, the fund would then be a source of unfettered money for use as the Secretary saw fit under a broad anti-poverty rubric. Although it did achieve substantial streamlining and reorganization of the discretionary fund, the Committee believes that it is important for Congress to retain a voice in how this money is spent. It therefore chose to include specific language to provide the Secretary with direction on the use of the discretionary set-aside within CSBG.

The Committee decided not to include the National Youth Sports Program, which funds sports and recreational activities for disadvantaged youth, in the Secretary's CSBG discretionary fund. This should not be interpreted as a statement by the Committee that it does not value the goals of this program. Given the dramatic increase in youth violence in recent years, the Committee strongly supports prevention efforts targeted at young people.

The Committee believes, however, that National Youth Sports is misplaced as part of this bill. It should be folded into a broader youth initiative, and the Committee hopes to accomplish this goal later in the session.

The Committee also recommends transferring the Demonstration Partnership Program to the discretionary fund. This program currently funds the development, implementation and evaluation of innovative approaches to the critical problems of low-income individuals and communities. The Committee recognizes the continuing importance of innovative program development and research among Community Action Agencies by shifting the authority for demonstration projects to the Secretary's discretionary account. The Committee encourages the Secretary to continue to support Community Action Agency efforts to develop new ways of promoting increased self-sufficiency among low-income families and individuals, and applauds the efforts of Community Action Agencies in working with young minority males.

To complement Community Action Agencies' efforts to develop innovative approaches to fighting poverty, the Committee has included support for interactive information technology as part of the Secretary's discretionary fund. The Committee notes that the CSBG network, including Community Action Agencies, State administrators, State and national organizations and associations, as well as low-income program participants, can benefit greatly from advances in technology and the development of the "information superhighway."

Activities under this section would support the planning, design, development, installation and management of a nationwide data collection, communication and information retrieval system for the CSBG network. The latest information technologies would be used to facilitate communication and the sharing of program information and opportunities, project reports and evaluations, and other management and administrative information.

The Committee does not believe that support for migrant and seasonal farm workers and the homeless is most effective when attained through a small categorical program within the Secretary's discretionary fund. The Committee strongly believes, however, that these populations have unique needs that should be addressed through the block grant. Community Action Agencies and other eligible entities receiving support through CSBG are in excellent positions to reach out to the migrant and homeless populations. For that reason, the Committee would require that each State in its annual application describe how it and the eligible entities to whom it distributes CSBG funds plan to meet the needs of this group.

The Committee has continued two programs from current law in the new Community Initiative Program, which it included in the Secretary's discretionary fund. The first is the Community Economic Development (CED) grants. CED grants are used by private non-profit corporations to plan and develop local economic and community development projects that result in job and business opportunities for low-income individuals and their communities.

The CED program is one of the few sources of Federal funding for development that is aimed exclusively at poor communities. Funds are used, in conjunction with other investment dollars from private and public sources, on a variety of projects, including commercial and industrial facilities, day care and community facilities and short and long term investments in small business.

The Committee did not consolidate the Job Opportunities for Low Income Individuals program, which is authorized under Section 505 of the Family Support Act, into the Community Initiative Program, as proposed by the Administration.

The Committee has continued the authority for technical assistance for rural housing and community facilities as part of the Community Initiative Program. Rural areas have much of the nation's worst housing and most of the water and waste water systems which are out of compliance with Federal standards are small rural systems. Funds provided by CIP for rural community development would assist in the planning for low-income rental housing, home repair projects and provide regional technical assistance to communities to help gain adequate community facilities.

The Committee reauthorized the Community Food and Nutrition Program (CFNP), which performs invaluable work in the fight against hunger, especially child hunger. The Administration proposed terminating this program, believing that Community Action Agencies receiving support through the base CSBG program could fulfill the same function. The Committee determined, however, that since CFNP funds go to many groups other than Community Action Agencies, it was unrealistic to expect the activities it funds to continue if the program were terminated. The Committee has recommended an authorization of $25 million for CFNP.

Accountability

The Committee has recommended a number of changes to the program intended to increase accountability and improve coordination and communication. It recommends new responsibilities for eligible entities, States and the Department of Health and Human Services.

The title would require eligible entities receiving funds under this Act to submit a community action plan, including a community needs assessment and a description of activities to be undertaken to meet identified needs. Section 202 would also allow for the termination of an entity for materially failing to comply with the terms of its agreement and community action plan to provide services.

The same section modifies the statutory requirements for the State use of CSBG funds to make it clear that the State must certify that local entities are using the funds for the purposes specified in the statute. This language is not intended to mean that every local entity should provide every service listed. The Committee intends that States continue to ensure that all activities are provided within the State.

The Committee also recommends requiring increased State accountability. It was concerned that under the CSBG statute as currently written States have been able to substantially modify their plans through amendments without public notice or input. It is critical that the public be included in decisions over how a State spends its CSBG funds. Section 202 of the bill therefore requires States to make the same assurances about significant amendments to their plans as they are now required to make when those plans are originally submitted. The Committee recognizes the potential difficulties raised by this requirement for states with biennial legislative cycles, and encourages the Secretary to address those difficulties through regulation.

Section 202 also requires States to use funds not allocated to eligible entities (up to 10 percent of the State's total allocation) for training and technical assistance, coordination of State-operated anti-poverty programs with services provided by eligible entities funded under this Act and statewide communication and coordination among eligible entities. The Committee retains the current 5 percent cap on administrative expenses and includes monitoring activities within that fund. The Committee believes it is critical for States to closely monitor eligible entities receiving funds through this Act in order to ensure that they are meeting all of the statute's requirements.

The Committee strongly supports "one stop shopping" efforts that allow low-income individuals and families to access a range of needed services in a single location. To that end, the Committee urges the Secretary to promote the "outposting" of State and local government employees in community action agencies. For example, the Committee believes that locating State Medicaid, AFDC, WIC, or child support enforcement personnel in CAPs would greatly increase program coordination and positive family outcomes. Section 202 authorizes use of State CSBG administrative funds for this purpose.

Just as this title asks more of eligible entities and States in the name of accountability, it asks more of the Department of Health and Human Services. Section 202 removes the prohibition against the Secretary's prescribing the manner in which the States comply with the provisions of the title. While the committee believes this program should remain a block grant, it believes it is appropriate to allow the Secretary oversight in how States are spending the money.

In addition, the Committee strongly encourages the Administration to take a greater interest in the Community Services program through monitoring and evaluation. As part of this effort, the Committee encourages HHS to educate appropriate personnel in its regional offices about the Community Action Agencies and State CSBG programs within their region. Such efforts would facilitate greater communication, coordination and understanding among all HHS grantees, would foster positive relationships between regional offices and local grantees, and would increase the awareness within the regional offices of the wide range of programs and services administered by the CSBG network.

The Committee recommends increasing support for training and technical assistance. The Committee removed this function as a set-aside within the Secretary's discretionary fund and instead recommends in section 202 that not less than ½ of 1 percent and not more than 1 percent of total CSBG appropriations be used for training and technical assistance. Such assistance to Community Action Agencies would enable them to continuously strengthen their capacity to effectively manage and operate nearly $4 billion of Federal and private resources nationwide.

In another effort to strengthen and simplify management of community action agencies, section 202 of the title seeks to assure that the various administrative requirements applicable to entities receiving funds under this Act are the same as those prescribed by the Office of Management and Budget (OMB) for all recipients and subrecipients of Federal grant and other assistance programs. More than 20 years ago, OMB developed government-wide standards for Federal Assistance recipients that ensure uniformity of treatment over costs and accounting standards and related administrative matters. At present, for non-profit organizations, these standards are now reflected in two OMB circulars—A-122 (which covers cost and accounting standards) and A-110 (which addresses related matters of administration).

Because HHS failed to impose these OMB requirements on entities receiving CSBG assistance, those entities have faced State requirements that often conflict with OMB standards applicable to other Federal funding these entities receive. The Committee believes that the OMB standards are appropriate for recipients of CSBG assistance and has amended the statute to ensure that this belief is implemented.

TITLE III—LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

Purpose and authorization levels

The Committee reaffirms the central purpose of the Low-Income Home Energy Program (LIHEAP) as providing assistance to eligible households in meeting their energy bills, as described in section 302. Low-income households continue to have difficulty in affording the cost of essential goods and services. The costs of energy services continue to be high in relation to their incomes. Therefore, assistance in meeting energy bills continues to be necessary. The Committee believes it is appropriate for agencies administering the program to work with households to help reduce their energy needs and costs, but not in such a way that diverts substantial resources from the program's primary purpose.

The Committee continues to believe that LIHEAP is a critical program for low-income households as they seek to make ends meet. Therefore, in section 303, the Committee has provided an authorization level of $2 billion in fiscal years 1995 through 1999. Currently, the program serves only about a quarter of eligible households. The Committee believes funding should be increased to meet more of the unmet need.

The legislation continues the leveraging incentive program with an authorization of $50 million in fiscal years 1995 and 1996 and such sums as may be necessary in fiscal years 1997 and 1998. The Committee is limiting the program's authorization, however, out of concern about the downward trend in overall LIHEAP funding and the desire to devote as much funding as possible to enabling low-income households to meet their energy bills.

The Committee believes the leveraging program has yielded substantial non-Federal investments in the LIHEAP program and has shown that LIHEAP funds can be used in ways that encourage energy suppliers and regulators to make energy services more affordable for the program and the client. The Committee notes that the basic purpose of the leveraging incentive program is to encourage systemic changes that yield broad benefits to low-income households. Therefore, it would be appropriate for the Secretary to reconsider the regulations for the fund in order to give greater weight to rewarding initiatives affecting energy regulations, markets, and terms of service to LIHEAP-eligible households.

Contingency fund for emergency situations

Section 304 provides a permanent authorization for appropriations to meet emergency home energy needs. The fund is authorized at $600 million for fiscal years 1995 through 1999. Any funds so appropriated would have to be designated as emergency requirements for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985. The Committee notes that this authorization is intended to apply to truly unusual energy emergencies, such as prolonged and unusually cold weather. It is not intended to take the place of regular appropriations for meeting low-income households' basic energy needs, which remain high.

In addition, the bill includes authority for the Secretary to distribute those funds to affected States, taking into account the extent to which the State was affected, alternative resources that may be available, and other factors the Secretary may find relevant. The Committee is concerned that emergency funds distributed in 1994 gave different levels of assistance to States that seemed to have been similarly affected by the emergency conditions. The Committee directs the Secretary to examine the foundation of that discrepancy and seek to build in factors to compensate for it in future emergency distributions. In future, it would be advisable for the Secretary to inform Congress and seek appropriate counsel from this authorizing Committee before a final determination use of funds

Authorized use of funds

Section 305 includes provisions to describe the general uses of LIHEAP funds. This description of allowable uses of funds is not meant to preclude other uses permitted elsewhere in the LIHEAP statute; nor is it intended to alter existing statutory requirements that place specific ceilings on the use of LIHEAP funds. Moreover, as noted previously, the primary focus of LIHEAP funds is to provide payment assistance to households, especially those with the lowest incomes and highest energy burdens, to help them meet their immediate home energy needs.

This section also includes additional activities for which States are allowed to use LIHEAP funds. Many of these services described to reduce energy costs or needs are being provided by fuel funds, utilities, and others. Recognizing this, and the limited funds currently available for home energy, the Committee intends that the activities authorized in this paragraph be used in very limited ways to provide additional services when a household is facing a problem that can clearly be served by providing additional help. It is not anticipated that every household will receive these additional services on a routine basis. States and such grantees are urged to coordinate and expand opportunities for finding other resources to pay for these additional services as much as possible. The legislation subjects these services to the cap on administrative costs. However, recognizing that other sources such as CSBG funds may be available for these activities, the legislation excepts these activities from the prohibition on using other Federal funds for administrative expenses.

Targeting assistance

The legislation retains the current eligibility criteria. However, section 306 allows States to give priority to those households with the highest home energy costs or needs in relation to household income. This section also adds the concept of "highest home energy needs" to the current provision of the LIHEAP Act that requires States to target their assistance in a way that provides varying levels of assistance for households depending on their incomes and energy burden (energy expenditures in relation to income). For example, according to HHS, over 7 million eligible households have energy bills that exceed 15 percent of their annual income. There is a need to focus on those households with the lowest incomes which are most drastically burdened and on those at highest health risk.

To assure that LIHEAP assistance is targeted to those households which truly have the highest energy burdens, level of income and energy burden must be considered together. The Committee believes that States need to reassess their benefit structures designed as a result of this long-standing provision to ensure that they are actually targeting their various assistance levels based on both of these factors.

Looking at energy burden alone may not assure that LIHEAP assistance is truly targeted to households most in need. For example, two households may have energy burdens of 10 percent, but one household has an income of $2,000 and the other has an income of $10,000. Clearly the household with the lowest income, as well as the 10 percent energy burden, will have the harder time meeting its immediate energy needs.

The new language included in this provision is not intended to diminish the responsibility of the States to design meaningful benefit structures, as discussed above. The new language instead is intended to allow States to also consider providing assistance to vulnerable households. These households may not have energy burdens as high, or incomes as low, as the households who will get the primary assistance under the regular benefit structure now required. However, they may have other characteristics that place them at risk and increase their energy needs, such as the inclusion of a frail elderly person or an infant. The ability to provide higher levels of assistance to households with high energy needs, which are in some respects easier to identify, must not lead States to target such households instead of households with high energy burdens and very low income, which may be more difficult to identify. In addition, the Committee urges the Secretary to ensure States use actual energy bills in determining energy burdens and designing their benefit structures.

Secretarial program guidance

Section 307 removes the provision that precludes the Secretary from specifying the manner in which the States will comply with statutory program requirements. The Committee notes that any rules promulgated by the Department must adhere to the intent and central purpose of the statute and should not be used to divert the program's direction from that intent and purpose. It is equally important, however, that the need to comply with the provisions of the Block Grant, particularly those provisions added to the statute in 1990, be brought to the attention of the States. The Committee encourages the Secretary to use the rule-making process wherever feasible to assure that all interested parties have notice and opportunity to comment on proposed changes that will have more than minor impact on the program's operation. The Secretary is requested to report informally to the Committee, preferably as changes occur, but in no case later than the close of each fiscal year, on the LIHEAP changes and policies put in place by the Department. The Secretary is also requested to convey issues or problems relating to LIHEAP which the Department will address in the future.

Reporting requirements

Section 310 adds additional items to current reporting requirements, including information on households that apply for, as well as those that receive, assistance and information on households with young children. The Committee intends that the term "young children" refer to children under the age of 6. However, the reporting requirements should distinguish between children under the age of three and those ages three through six, since the former are the most vulnerable. The Committee urges the Secretary to attempt to identify how many households fit in more than one category of elderly, disabled, or having young children, as the data collection costs are more justifiable if the data are precise.

The Committee wishes to emphasize the usefulness of, and compliment the Secretary on, the annual HHS report on LIHEAP. This report continues to be a model of sophisticated, thorough, and useful government reporting. The interdepartmental cooperation with the Department of Energy, the objective, quantitative analysis and the plain English presentation represent the kind of effort the Secretary should continue for LIHEAP and consider expanding to other programs as well.

Vendor payments

There are advantages to the States in employing the vendor payment method to assist low-income households. Section 312 includes provisions regarding direct payments to vendors designed to encourage States and, where appropriate, local grantees, to be more aggressive in negotiating payment terms with vendors, particularly non-regulated vendors. Such agreements also should encourage responsible behavior on the part of the household receiving assistance. States should seek to have vendor payment agreements include terms by which vendors agree to undertake activities—such as reduced rates, arrearage forgiveness, waiver of fees—that will reflect the benefits that the vendor receives from LIHEAP payment assistance on behalf of their clients.

In the past, some utilities have shown a willingness to accept regular monthly payments that are less than the actual household's bill in return for a promise by the utility to provide ongoing service. That approach encourages regular payments by individuals and should be strongly considered in vendor agreement discussions.

The Committee emphasizes that such agreements must be beneficial to both vendors and consumers and encourages both to do their parts in meeting the household's energy needs and costs.

The Committee does not intend that LIHEAP households be put at risk while States or local grantees negotiate such agreements, and emphasizes that this provision is not intended to be punitive. Failure to reach agreement with a vendor should not seriously delay, and in no way affect, the ability of a household to receive LIHEAP assistance directly.

Training and technical assistance

Section 311 also includes a provision cutting the funds set aside for training and technical assistance from $500,000 to $250,000. The Committee recognizes the usefulness and need for these activities. However, the Committee is very concerned about reductions in LIHEAP funding proposed by the Administration. In view of the possibility of cuts in the program, the Committee strongly believes that every possible dollar should be directed at providing low-income households with assistance in meeting their energy bills. The Committee also believes the Secretary should use funds available for training and technical assistance for such assistance as States may require to implement the Department's policy, particularly in developing accurate methods of determining a household's energy burden.

Effective date

Section 313 makes the provisions of this title effective on October 1, 1994. The Committee recognizes that some provisions affect State plans and urges the Department to use discretion in the way these provisions are applied in the first year.

TITLE IV—FAMILY RESOURCE PROGRAMS

Creation of New Family Resource Program

The Committee currently oversees several small programs with a similar objective, that of building a continuum of supportive services for families through community-based programs. Some of these programs have narrow purposes, for example, funding specific support services such as respite care. Others have broader purposes, such as the broad range of child abuse prevention services that could be funded through the Community-Based Child Abuse Prevention Grants. The Family Resource and Support Program includes the most systematic approach to building an infrastructure for family resource services and giving States a framework in which change the way services are provided to families.

The Committee believes families would be better served by a larger program that helps States and communities address their resource needs more systematically. Therefore, Title IV, in section 401, contains a revised Community-Based Family Resource Program that consolidates these smaller programs into one large program that can be more effective in working with States to continue efforts at taking a systemic approach to prevention and supportive services for children and families. This program would (1) help States develop a network of collaborative family resource services to support families, and (2) leverage additional State and private resources into funding mechanisms that would provide more flexibility in serving families at the local level.

States are already moving in this direction. Last year, 44 States applied for the initial Family Resource and Support grants. Only three States, Maryland, Virginia, and Connecticut, could be funded with the existing allocation. Clearly, many States were using this process to rethink how to best meet the needs of families through systems change and service redesign efforts. In addition, some States are using their Children's Trust Funds, which receive funding through the Community-based Child Abuse Prevention Grants, to fund family resource programs as the best way to intervene early and prevent child abuse. A number of States are using local collaboration through family resource centers or services to help achieve the systems reform that is their goal at the State level.

Programs consolidated

The programs to be consolidated are the Family Resource and Support Program, the Community-Based Prevention Grants, the Temporary Child Care and Crisis Nursery program, and the Emergency Child Protective Services program. The new program melds the concept found in the Family Resource and Support Program of building an infrastructure for family resource services and reordering the systems that serve children and families with the funding mechanism of the Community-Based Prevention Grants.

The Temporary Child Care and Crisis Nursery program now provides grants for start-up costs associated with these urgent services, which are among the range of activities considered to be family resource services. The new program places them within this broader context, while giving States the ability to continue to provide funds for creating these services where they do not exist. The Committee believes respite services continue to be an important aspect of family resource services. While set-asides have not been provided for specific family resource services, the Committee intends that representatives of respite service programs will be involved in the design of a State's program and that the States should make funds available, as appropriate, for establishing these services where they may be lacking.

The Committee has included the Emergency Child Protective Services grant program in the consolidation. Although these grants have funded crisis services, the Committee believes these funds could be better spent on a program that takes a systemic approach to prevention.

Program description

The Family Resource Program would promote organization of State and local funding for services to families in ways and provide flexibility in program design, are preventive in nature, are based on collaboration, are comprehensive, and incorporate public-private partnerships. Funds would be used to:

Establish or expand statewide networks of community-based family resource programs. These programs could be center-based or use a collaborative model that coordinates services within the area, especially useful in rural areas. Their hallmark would be the involvement of families in their design.

Fund child abuse and neglect prevention activities.

Promote pooling of funds through trust funds or other mechanisms to create flexible funding for services to families.

Encourage collaboration at the State level and within communities to reorder their thinking about how to serve families and create new ways to provide a continuum of preventive services.

Encourage public-private partnerships in the collaboration.

Program funding

The Family Resource Program is authorized at $75 million for fiscal year 1995 and at such sums as may be necessary for fiscal years 1996 through 1998.

Funding would be provided partly through a formula grant and partly through incentive funding, as Community-Based Child Abuse Prevention Grants are currently administered. Because this program will consolidate several existing programs, some funding will be phased in as existing grants expire. To qualify for funding, a State would have to have in place a trust fund or collaborative funding mechanism, a joint funding stream, a children's cabinet, or a departmental collaborative to pool funds for family resource services. Children's Trust Funds would qualify.

The formula grant would be based on the number of children under age 18 in a State. The incentive payments would be based on the amount of funds—including other Federal, State, or private funds—the State dedicates to the family resource program through a trust fund or a funding pool. The Committee believes such mechanisms offer States an opportunity to create flexible funding streams that communities can use to design programs more responsive to the local needs of children and families.

The governor of a State would designate a lead agency that must reflect the broad purposes of the program. Entities such as quasi-public agencies or Trust Fund Councils would qualify to be lead agencies. The State would develop criteria for funding local programs, which must exhibit strong collaboration, the ability to offer a comprehensive range of services, and involve parents in the design, operation, and governance of the program. The Committee stresses that the involvement of parents in determining the shape of the program is a key feature of family resource services. States could consider the local program's ability to leverage its own funds. Collaboration would be spurred by the requirement to provide, either directly or through agreements or referrals, a continuum of services to families.

V. COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 18, 1994.

Hon. EDWARD M. KENNEDY,
Chairman, Committee on Labor and Human Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate of S. 2000, a bill to authorize appropriations to carry out the Head Start Act and the Community Services Block Grant Act and for other purposes, as ordered reported by the Committee on Labor and Human Resources on April 13, 1994.

S. 2000 would affect direct spending and thus would be subject to pay-as-you-go procedures under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985. Section 121 of S. 2000 would make children automatically eligible for free meals under the Child and Adult Care Food program. CBO estimates the direct spending outlays would increase by $3 million over the 4-year period from 1995 to 1998.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

ROBERT D. REISCHAUER, *Director.*

CONGRESSIONAL BUDGET OFFICE ESTIMATE

S. 2000—AS ORDERED REPORTED BY THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES ON APRIL 13, 1994

[By fiscal years, outlays in millions of dollars]

	1995	1996	1997	1998	1999
DIRECT SPENDING					
Child and adult care food program [1]					
Estimated budget authority	(2)	1	1	1	1
Estimated outlays	(2)	1	1	1	1
AMOUNTS SUBJECT TO APPROPRIATIONS [3]					
Head Start					
Estimated authorization of appropriations	3,416	3,508	3,603	3,700	0
Estimated outlays	1,366	3,145	3,537	3,633	2,211
Ready to learn television					
Authorization of appropriations	30	31	32	0	0
Estimated outlays	4	24	30	28	6
State dependent care development programs					
Authorization of appropriations	13	0	0	0	0
Estimated outlays	3	10	[2]	0	0
Child development associate scholarships					
Authorization of appropriations	1	0	0	0	0
Estimated outlays	[2]	1	[2]	0	0
Community services block grant					
Authorization of appropriations	525	539	554	569	0
Estimated outlays	352	519	549	563	187
Community food and nutrition					
Authorization of appropriations	25	26	26	27	0
Estimated outlays	17	25	26	27	9
Low-income home energy assistance					
Authorization of appropriations	2,050	2,104	2,161	2,219	2,278
Estimated outlays	1,948	2,101	2,158	2,216	2,275

S. 2000—AS ORDERED REPORTED BY THE SENATE COMMITTEE ON LABOR AND HUMAN RESOURCES ON APRIL 13, 1994—Continued

[By fiscal years, outlays in millions of dollars]

	1995	1996	1997	1998	1999
Low-income home energy assistance emergency funds [4]					
Authorization of appropriations	600	600	600	600	600
Estimated outlays	0	0	0	0	0
State coordination of services					
Estimated authorization of appropriations	30	31	32	32	0
Estimated outlays	5	30	31	32	28
Community-based family resource programs					
Authorization of appropriations	75	77	79	81	0
Estimated outlays	11	75	77	79	69
National Center on family resource and support programs					
Authorization of appropriations	3	3	3	3	0
Estimated outlays	3	3	3	3	(1)
Repeal Comprehensive Child Development Act					
Estimated authorizations	−48	−49	−51	−52	−53
Estimated outlays	−7	−47	−49	−51	−52
Repeal community-based child abuse and neglect prevention grants					
Estimated authorizations	−5	−6	−6	−6	−6
Estimated outlays	−1	−5	−6	−6	−6
Repeal emergency child abuse prevention service grants					
Estimated authorizations	−20	−20	−21	−21	−22
Estimated outlays	−2	−19	−20	−21	−21
Repeal temporary child care and crisis nurseries					
Estimated authorizations	−12	−13	−13	−13	−14
Estimated outlays	−2	−12	−13	−13	−13
Total amounts subject to appropriations					
Estimated authorizations	6,683	6,831	6,999	7,139	2,783
Estimated outlays	3,697	5,850	6,323	6,490	4,693

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[1] Less than $500,000.

[2] Section 121 of S. 2000 would make children automatically eligible for free meals under the Department of Agriculture's Child and Adult Care Food (CACFP) program, provided they were determined eligible for Head Start on the basis of income or receipt of public assistance. Children who qualify for Head Start on a basis other than income would have to meet USDA meal program requirements, as under current law. The proposal would have little effect on CACFP spending, because most children who meet the Head Start income guidelines also meet the CACFP guidelines for free meals. In some cases, however, a family's income may increase between the time a child is screened for Head Start eligibility and the child graduates from Head Start, and such increases in family income could make the child ineligible for free meals in the absence of this proposal. In other cases, incomplete documentation of family income can make a child ineligible for the free meal subsidy without affecting Head Start enrollment. Less than half of one percent of Head Start children are estimated to fall into one of these two situations. Extending free meal subsidies to these few children is estimated to increase federal spending under the child nutrition entitlement programs by less than $500,000 in 1995, and by close to $1 million annually in subsequent years.

[3] All amounts shown in the table as authorized for appropriation are specified in the bill for fiscal year 1995. Fiscal years 1996-1999 are estimated by CBO, except the Low Income Home Energy Assistance Emergency Funds. For this program, the bill authorizes $600 million each year. Items labeled as estimated authorizations are estimated by CBO.

[4] S. 2000 designated these funds as emergency funds pursuant to section 252(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985. If these amounts are appropriated pursuant to the guidelines in S. 2000, the amounts would not be scored against the discretionary caps.

Note.—The total direct spending effects would equal the pay-as-you-go effects in fiscal years 1995 through 1998. Estimated outlays assume full appropriation of authorized amounts.

Source: Congressional Budget Office.

VI. REGULATORY IMPACT STATEMENT

The Committee has determined that there will be minimal increases in the regulatory burden imposed by this bill.

VII. SECTION-BY-SECTION ANALYSIS

TITLE I—HEAD START

Section 101. This section provides that the short title of this title is the "Head Start Act Amendments of 1994" and that, except as otherwise specifically provided, "whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a re-

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peal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Head Start Act (42 U.S.C. 9831 et. seq.)".

Section 102. This section amends section 637 of the Act to provide new definitions for the terms "poverty line," "family literacy", and "Indian tribe."

Section 103. This section amends section 638 (a)(1) to include "parental involvement" and "nutritional" services in the list of services to be provided.

Section 104. This section amends section 639 to authorize such sums as may be necessary to carry out the Head Start programs for 1995 through 1998; and to authorize a set-aside of $35 million annually for the Head Start Transition Projects.

Section 105 (a). This section amends section 640(a)(3) to authorize the Secretary to set aside more than 25 percent of the adjusted prior year appropriation to address quality concerns; clarifies the purposes of the set aside.

Sectin 105 (b). This section amends section 640(a) to clarify that training and technical assistance funds may be used to pay the costs (except compensation of Federal employees) of monitoring reviews, development and implementation of the quality improvement plans; and to provide that the Secretary may award a collaboration grant to each State for described collaboration activities; and to provide that funds equivalent to 3 percent of the appropriation in 1995, 4 percent in 1996 and 1997, and 5 percent in 1998 shall be designated as a set-aside for a 0–3 initiative.

Section 105 (c). This section amends section 640(g) to create guidelines for the allocation of expansion funds, which shall include consideration of the quality of the applicant's programs, the applicant's capacity to expand, and the numbers and concentration of eligible children remaining unserved.

Section 105 (d). This section amends section 640 (h) with a technical amendment.

Section 105 (e). This section amends section 640 to provide that the award of a COLA to Head Start staff shall not be dependent upon the award of a similar COLA to all other employees of a Head Start grantee agency.

Section 106. This section repeals section 640A.

Section 107. This section amends section 641 (b) to extend the service area of Indian Head Start programs; and amends section 641(d) to clarify considerations in designating new Head Start agencies.

Section 108 (a). This section amends the Act by creating a new section regarding quality standards and monitoring of Head Start agencies and programs.

Section 108 (b). This section amends the Act to provide that performance measures shall be developed and implemented within a year of enactment, and shall be used to identify program strengths and weaknesses.

Section 108 (c). This section amends the Act to clarify the monitoring and review process.

Section 108 (d). This section amends the Act to establish a procedure to terminate the grants of Head Start agencies which, after training and technical assistance and implementation of a quality improvement plan, do not meet the minimum standards required of a Head Start agency.

Section 108 (e). This section amends the Act to provide for the publication of summaries of monitoring outcomes.

Section 109. This section amends section 642 to delineate the transition activities required of all Head Start agencies, and to provide for enhanced parent participation.

Section 110. This section amends section 644 to allow Indian Head Start agencies, upon determination that suitable facilities are not otherwise available, to purchase facilities from Indian tribes. It also amends section 644 to allow Head Start programs, upon determination that suitable facilities are not otherwise available, and that construction is more cost effective than purchase or renovation of facilities, to take out loans for quality-related capital expenditures including construction or renovation of facilities and purchase or renovation of facilities, to take out loans for quality-related capital expenditures including construction or renovation of facilities and purchase of vehicles. Laborers and mechanics employed in such construction or renovation shall not be paid wages below those prevailing on similar construction in the locality. The section also creates a standard "Indian preference" in the personnel actions of the American Indian Programs Branch of the Head Start bureau.

Section 111. This section amends section 645 to allow Head Start programs to provide more than one year of service to eligible children; and to allow Indian Head Start programs which serve predominantly income-eligible children but which can not under current regulations fill all of their Head Start slots to enroll additional children under regulations to be promulgated by the Secretary.

Section 112. This section amends section 645 to create a 0–3 initiative to provide very young children and their families with family-centered services designed to promote child development and family self-sufficiency, and to consolidate the Comprehensive Child Development Program and the Parent-Child Centers into such an initiative.

Section 113. This section amends section 646(a) to create a process by which the Secretary can mediate disputes between Head Start Policy Councils and the Head Start grantee which might lead to adverse action, and thereby avoid the need for an administrative hearing.

Section 114. This section amends section 648 to establish goals and priorities for training and technical assistance to be provided by the Secretary to Head Start programs, including supporting program quality and expansion, responsiveness to local needs, priority to deficiencies identified during reviews, addressing staff development needs, developing sound management practices, and obtaining adequate facilities.

Section 115. This section amends section 648 to promote staff development by providing for the establishment of degree requirements, a mentor teacher program, curriculum for training and programs for certifying family service workers, and a Head Start Fellowship program.

Section 116. This section amends section 649 to establish guidelines and priorities for research, demonstrations and evaluations, including fostering the improvement of the Head Start program, consultation and collaboration in the development and conduct of such evaluations, and providing for a longitudinal study of the effects of the Head Start program on children and families.

Section 117. This section amends section 650 by repealing the announcements and evaluations contained therein.

Section 118. This section amends section 651 to establish guidelines for the summary of information concerning the research, demonstration and evaluation activities conducted under the previous section.

Section 119. This section repeats sections 651A and 652.

Section 120. This section amends the Act to require the Secretary to conduct a study of benefits for Head Start employees, including making recommendations for increasing access of Head Start staff to such benefits.

Section 121. This section amends section 9(b)(6) of the National School Lunch Act to create automatic eligibility for Head Start-eligible children for the Child and Adult Care Food Program and the School Lunch program contained therein.

Section 122. This section amends section 4702(b)(1) of the Elementary and Secondary Education Act to reauthorize Ready to Learn educational programming.

Section 123. This section amends section 670a of the State Dependent Care Development Grants Act to authorize the appropriation of $13 million in fiscal year 1995.

Section 124. This section amends section 606 of the Child Development Assistance Act to authorize such sums as may be necessary or fiscal year 1995.

Section 125. This section contains technical amendments to Section 133(a) of the Head Start Transition Project Act and Section 1924(d)(3)(A)(i) of the Social Security Act.

Section 126. This section provides for this title and the amendments made by this title to take effect on the date of enactment of this title.

TITLE II—COMMUNITY SERVICES BLOCK GRANT

Section 201 provides that this title's short title is the "Community Services Block Grant Amendments of 1994".

Section 202(a) amends section 672 of the Act to authorize appropriations of $525,000,000 for fiscal year 1995 and such sums as may be necessary for fiscal years 1996 through 1998, and repeals the Demonstration Partnership Program, section 4408 of the Act.

Section 202(b) amends section 674 of the Act to require the Secretary to set aside not less than one-half of 1 percent and not more than 1 percent of total appropriations for training and technical assistance.

Section 202(c)(1) amends section 675(a) of the Act to require States to make the same assurances about significant amendments to their annual plans as they are now required to make when those plans are originally submitted.

Section 202(c)(2) amends section 675(c)(1) of the Act to modify the statutory requirements for the State use of CSBG funds to make it clear that the State must certify that local entities are using the funds for the purposes specified in the statute.

Section 202(c)(3) amends section 675(c)(1)(B) of the Act to add the requirement that each State, as part of its annual application for CSBG funds, certify that it agrees to use such funds to assist migrants.

Section 202(c)(4) amends section 675(c)(2)(B) of the Act to require each State, as a condition of receiving up to 10 percent of funds for state activities (including not more than 5 percent for administrative activities), to provide assurances that a reasonable amount of the 10 percent of funds will be used for (i) providing training and technical assistance to eligible entities; (ii) coordination of State-operated programs and services targeted to low-income children and families with services provided by eligible entities; (iii) support for statewide communication and coordination among eligible entities; (iv) consideration of the distribution of funds within the State to determine if such funds have been targeted to the areas of highest need.

Section 202(c)(5) amends section 675(c)(3) of the Act to add the requirement that each State, as part of its annual application for CSBG funds, provide assurances that public organizations receiving such funds establish either a board which is composed of representatives of the poor in the area served or some other mechanism specified by the State to assure citizen participation in the planning, administration, and evaluation of projects for which such organization has been funded.

Section 202(c)(6) amends section 675(c) of the Act to remove the prohibition against the Secretary's prescribing the manner in which the States comply with the provisions of the title.

Section 202(d)(1) amends section 675(c) of the Act to clarify the definition of cause for termination of an eligible entity for materially failing to comply with the terms of its agreement and community action plan to provide services.

Section 202(d)(2) amends section 675(c) of the Act to require each State to secure from each eligible entity, as a condition of its receipt of funding, a community action plan (which would be available to the Secretary for inspection), and clarifies the required contents of such plans.

Section 202(d)(3) also amends section 675(c) of the Act to assure that the various administrative requirements applicable to entities receiving funds under this act are the same as those prescribed by the Office of Management and Budget (OMB) for all recipients of Federal grant and other assistance programs.

Section 202(e) amends section 675(d)(2) of the Act to require that revisions of State plans be made available for public inspection within the State in such a manner as will facilitate public comments on the revision.

Section 202(f) amends section 675(f) of the Act to require that State audits required by subsection (c)(9) be provided to eligible entities at no charge.

Section 203 amends section 681 of the Act to revise the uses of the Secretary's discretionary fund, specifying that such funds may be used for Community Initiative Program, activities currently authorized under the Demonstration Partnership Program, and grants to support the use of interactive information technology among CSBG eligible entities, State administrators, national associations and organizations and program recipients.

Section 204 amends section 681A(d) of the Act to authorize appropriations for the Community Food and Nutrition Program at $25,000,000 for fiscal year 1995 and such sums as may be necessary for fiscal years 1996 through 1998.

TITLE III—LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

Section 301 provides for the short title of title III, the "Low-Income Home Energy Assistance Amendment of 1994", and technical references.

Section 302 clarifies that the purpose of the program is to assist low-income households, particularly those who pay a high proportion of their income for energy assistance, primarily to meet immediate energy needs and, where appropriate, to help such households improve their future capacity to meet such needs.

Section 303 authorizes appropriations at $2 billion for fiscal years 1995 through 1999 for the basic program as well as $50 million for fiscal years 1995 and 1996 and such sums for fiscal years 1997 through 1999 for the leveraging incentive program. This section also modifies the program funding year to coincide with the Federal fiscal year.

Section 304 authorizes $600 million for fiscal years 1995 through 1999 to establish a fund to address emergencies and natural disasters. Also defines the terms "energy burden" and "highest home energy needs".

Section 305 clarifies the required use of funds under this program to include outreach activities, crisis assistance, weatherization and related home repair, and planning, developing and administering States' programs. Also amends the application section to delineate permissive use of funds subject to the caps on administrative costs.

Section 306 allows the States, within existing eligibility standards, to give priority to households with the highest energy burdens. Makes additional changes to allow targeting assistance to households with greatest energy needs.

Section 307 removes the constraint on the Secretary that prohibits specifying the manner in which the States will comply with statutory program requirements.

Section 308 applies the Single Audit Act to this program.

Section 309 permits States to use Department of Energy Weatherization rules for administering its Low Income Weatherization Assistance Program for weatherization and home repairs carried out with LIHEAP funds.

Section 310 adds items to the demographic data the States are required to provide in their annual applications.

Section 311 precludes payments to any State that does not report to the Secretary on the amount of funds it has not obligated in the prior fiscal year.

Section 312 makes technical and conforming changes. This section allows the States to negotiate with vendors to provide certain services to individuals receiving assistance under this program, and reduces the amount the Secretary may reserve for technical and training assistance from $500,000 to $250,000.

Section 313 provides an effective date of October 1, 1994.

TITLE IV—FAMILY RESOURCE PROGRAM

Section 401 amends Section 933 of the Claude Pepper Young Americans Act of 1990 to replace the existing Family Resource and Support Program with a new Community-Based Family Resource Program. Authorized uses of funds are clarified. This section authorizes the program at $75 million for fiscal year 1995 and such sums as may be necessary for fiscal years 1996 through 1998, distributes the funds through a formula that rewards States' efforts to create integrated funding streams, and authorizes the Young Americans Act State grants at such sums as necessary for fiscal years 1995 through 1998. Existing programs are repealed to consolidate their functions into the new program.

Section 402 reauthorizes the Federal Council on Children, Youth, and Families at $200,000 for fiscal years 1995 through 1998 and amends its duties.

Section 403 reauthorizes the National Center on Family Resource and Support programs at $2 million for fiscal years 1995 through 1998 and its evaluation component for $1 million in fiscal year 1995 and at such sums as necessary for fiscal years 1996 through 1998.

VIII. COMMITTEE ACTION

On April 13, 1994, the Chairman of the Committee on Labor and Human Resources, Senator Kennedy, convened an Executive Session of the Committee to consider S. 2000, the Human Services Reauthorization Act.

During Committee consideration, S. 2000 was amended by an amendment in the nature of a substitute offered by Senators Kennedy, Kassebaum, Dodd and Coats, which incorporated provisions from S. 1852, S. 1937, and S. 1938. The Committee approved the amendment in the nature of a substitute by voice vote.

The Committee considered a motion to favorably report S. 2000, as amended. By roll call vote of 17–0, the Committee agreed to the motion.

IX. CHANGES IN EXISTING LAW

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

OMNIBUS BUDGET RECONCILIATION ACT OF 1981

* * * * * * *

TITLE VI—HUMAN SERVICES PROGRAMS

SUBTITLE A—AUTHORIZATIONS SAVINGS FOR FISCAL YEARS 1982, 1983, AND 1984

* * * * * * *

CHAPTER 8—COMMUNITY SERVICES PROGRAMS

* * * * * * *

SUBCHAPTER B—HEAD START PROGRAMS

SHORT TITLE

SEC. 635. This subchapter may be cited as the "Head Start Act".

* * * * * * *

DEFINITIONS

SEC. 637. For purposes of this subchapter:
(1) * * *

* * * * * * *

[(4) The term "adjusted appropriation" means—

[(A) with respect to the first fiscal year for which funds are required by section 640(a)(3)(A) to be reserved, the sum of—

[(i) $35,000,000; and

[(ii) 110 percent of the amount appropriated under section 639(a) for the preceding fiscal year, adjusted to reflect the percentage change in the Consumer Price Index For All Urban Consumers (issued by the Bureau of Labor Statistics) occurring in the 1-year period ending immediately before the fiscal year with respect to which a determination is made under section 640(a)(3)(A); and

[(B) with respect to each subsequent fiscal year for which funds are required by section 640(a)(3)(A) to be reserved, the amount appropriated under section 639(a) for the preceding fiscal year adjusted to reflect the percentage change in the Consumer Price Index For All Urban Consumers (issued by the Bureau of Labor Statistics) occurring in the 1-year period ending immediately before the fiscal year with respect to which a determination is made under section 640(a)(3)(A).

[(5) The term "quality improvement funds" means—

[(A) with respect to the first fiscal year for which funds are required by section 640(a)(3)(A) to be reserved, 10 percent of the amount appropriated under section 639(a) for such fiscal year; and

[(B) with respect to each subsequent fiscal year for which funds are required by section 640(a)(3)(A) to be reserved, 25 percent of the portion of the amount appropriated under section 639(a) for such fiscal year that exceeds the adjusted appropriation for such fiscal year.]

[(12)] *(4) The term "family literacy services" includes activities such as interactive literacy activities between parents and their children, training for parents on techniques for being the primary teacher of their children and full partners in the education of their children, parent literacy training, and early childhood education.*

[(10)] *(5)* The term "full calender year" means all days of the year other than Saturday, Sunday, and a legal public holiday.

[(11)] *(6)* The term "full-working-day" means not less than 10 hours per day.

[(6)] *(7)* The term "Head Start classroom" means a group of children supervised and taught by two paid staff members (a teacher and a teacher's aide or two teachers) and, where possible, a volunteer.

[(7)] *(8)* The term "Head Start family day care" means Head Start services provided in a private residence other than the residence of the child receiving such services.

[(8)] *(9)* The term "home-based Head Start program" means a Head Start program that provides Head Start services in the private residence of the child receiving such services.

[(13)] *(10) The term "Indian tribe" means any tribe, band, nation, pueblo, or other organized group or community of Indians, including any Native village described in section 3(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c)) or established pursuant to such Act (43 U.S.C. 1601 et seq.), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.*

[(9) The term "poverty line" means—

[(A) the official poverty line (as defined by the Office of Management and Budget) adjusted to reflect the percentage change in the Consumer Price Index For All Urban Consumers, issued by the Bureau of Labor Statistics, occurring in the 1-year period or other interval immediately preceding the date such adjustment is made; or

[(B) the poverty line (including any revision thereof) applicable to this subchapter for fiscal year 1990, adjusted to reflect the percentage change in the Consumer Price Index For All Urban Consumers, issued by the Bureau of Labor Statistics, occurring in the period beginning October 1, 1989, and ending immediately before the date such adjustment is made;

[whichever is greater.]

[(9)] *(11)* The term "poverty line" means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

FINANCIAL ASSISTANCE FOR HEAD START PROGRAMS

SEC. 638. (a) The Secretary may, upon application by an agency which is eligible for designation as a Head Start agency pursuant to section 641, provide financial assistance to such agency for the planning, conduct, administration, and evaluation of a Head Start program focused primarily upon the children from low-income families who have not reached the age of compulsory school attendance which (1) will provide such comprehensive [health, nutritional, educational, social, and other services] *health, education, parental involvement, nutritional, social, and other services* as will aid the children to attain their full potential; and (2) will provide for direct participation of the parents of such children in the development, conduct, and overall program direction at the local level.

* * * * * * *

AUTHORIZATION OF APPROPRIATIONS

SEC. 639. (a) There are authorized to be appropriated for carrying out the provisions of this subchapter **[**(other than section 651A) $1,552,000,000 for fiscal year 1990, $2,386,000,000 for fiscal year 1991, $4,273,000,000 for fiscal year 1992, $5,924,000,000 for fiscal year 1993, and $7,660,000,000 for fiscal year 1994**]** *such sums as may be necessary for fiscal year 1995 through 1998.*

[(b) There are authorized to be appropriated to carry out section 651A, such sums as may be necessary for fiscal years 1991 through 1996.

[(c)(1) If the amount appropriated under subsection (a) for fiscal year 1991 exceeds the adjusted appropriation, the Secretary shall make available not less than $20,000,000 to carry out the Head Start Transition Project Act.

[(2) The Secretary shall make available not less than $20,000,000 for each of the fiscal years 1992, 1993, and 1994 to carry out the Head Start Transition Project Act.**]**

(b) From the amount appropriated under subsection (a), the Secretary shall make available—

(1) $35,000,000 for each of the fiscal years 1995 through 1998 to—

(A) carry out the Head Start Transition Project Act; and

(B) carry out activities authorized under section 642(d); and

(2) not more than $2,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 1998, to carry out longitudinal research under section 249(e).

ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE

SEC. 640. (a)(1) Of the sums appropriated pursuant to section 639 for any fiscal year beginning after September 30, 1981, the Secretary shall allot such sums in accordance with paragraphs (2) **[**through (5).**]** *through (4), and subject to paragraphs (5) and (6).*

(2) The Secretary shall reserve 13 percent of the amount appropriated for each fiscal year for use in accordance with the following order of priorities—

(A) Indian and migrant Head Start programs and services for handicapped children, except that there shall be made available for each fiscal year for use by Indian and migrant Head Start programs, on a nationwide basis, not less than the amount that was obligated for use by Indian and migrant Head Start programs for fiscal year **[**1990;**]** *1994;*

* * * * * * *

[(3)(A) *(c)* For any fiscal year for which the amount appropriated under section 639(a) exceeds the adjusted appropriation, the Secretary shall reserve the quality improvement funds for such fiscal year, for one or more of the following quality improvement activities:**]**

(3)(A)(i) In order to provide assistance for activities specified in subparagraph (C) directed at the goals specified in subparagraph (B), the Secretary shall reserve, from the amount (if any) by which the funds appropriated under section 639(a) for a fiscal year exceed the adjusted prior year appropriation, a share equal to the sum of—

(I) 25 percent of such excess amount; and

(II) any additional amount the Secretary may find necessary to address a demonstrated need for such activities.

(ii) As used in clause (i), the term "adjusted prior year appropriation" means, with respect to a fiscal year, the amount appropriated pursuant to section 639(a) for the preceding fiscal year, adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers (issued by the Bureau of Labor Statistics) during such preceding fiscal year.

(B) Funds reserved under this paragraph (referred to in this paragraph as "quality improvement funds") shall be used to accomplish any or all of the following goals:

(i) Ensuring that Head Start programs meet or exceed performance standards pursuant to section 641A(a)(1)(A).

(ii) Ensuring that such programs have adequate qualified staff, and that such staff are furnished adequate training.

(iii) Ensuring that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

(iv) Using salary increases to improve staff qualifications, and to assist with the implementation of career development programs, for the staff of Head Start programs.

(v) Improving community-wide strategic planning and needs assessments for such programs.

(vi) Ensuring that the physical environments of Head Start programs are conducive to providing effective program services to children and families.

(vii) Making such other improvements in the quality of such programs as the Secretary may designate.

(C) Quality improvement funds shall be used to carry out any or all of the following activities:

* * * * * * *

(vii) Such other activities as the Secretary may designate.

[(B)]*(D)*(i) Funds reserved under subparagraph (A) [for the first, second, and third fiscal years for which funds are so reserved] shall be allotted by the Secretary as follows:

(I) 80 percent of such funds shall be allotted among the States in the same proportion as the Secretary allots funds among the States under [paragraph (5)] *paragraph (4)* for the respective fiscal year.

(II) 20 percent of such funds shall be allotted among the States, *and Indian and migrant Head Start programs,* and used to make grants to Head Start agencies, at the discretion of the Secretary.

[(ii) Funds reserved under subparagraph (A) for any fiscal year subsequent to the third fiscal year for which funds are so reserved shall be allotted by the Secretary among the States in the same proportion as the Secretary allots funds among the States under paragraph (5) for the respective subsequent fiscal year.

[(iii) To be expended for the activities specified in subparagraph (A) in the first fiscal, second, and third fiscal years for which funds are required by such subparagraph to be reserved, funds allotted under clause (i)(I) shall be used by the Secretary to make a grant to each Head Start agency that receives a grant from funds allotted under paragraph (5) for such fiscal year, in the amount that bears the same ratio to the amount allotted under clause (i)(I) for such fiscal year for the State in which such agency is located as the number of children participating in the Head Start program of such fiscal year bears to the number of children participating in all Head Start programs in such State in such fiscal year.]

[(iv) To be expended for the activities specified in subparagraph (A) in each subsequent fiscal year for which funds are required by such subparagraph to be reserved, funds] *(ii) Funds* allotted under clause [(ii)]*(i)* shall be used by the Secretary to make grants to Head Start agencies that receive grants from funds allotted under [paragraph (5)] *paragraph (4)* for such fiscal year, in such amounts as the Secretary considers to be appropriate, *for expenditure for activities specified in subparagraph (C).* [The aggregate amount of grants made under this clause to Head Start agencies in a State for a fiscal year may not exceed the amount allotted under clause (ii) for such State for such fiscal year.]

[(v) If a Head Start agency certifies for such fiscal year to the Secretary that it does not need any funds under subparagraph (A), or does not need any funds under subparagraph (A), or does not need part of such funds it would otherwise receive under clause (III) or (IV), then unneeded funds shall be used by the Secretary to make grants under this subparagraph without regard to such agency.]

[(vi)] *(iii)* Funds received under this subparagraph shall be used to supplement, not to supplant, funds received under [paragraphs (2), (4), and (5),] *paragraph (2) or (4).*

(D) discretionary payments made by the Secretary *(including payments for all costs (other than compensation of Federal employees) of reviews of Head Start agencies and programs under section 641A(c), and of activities related to the development and implementation of quality improvement plans under section 641A(d)(2)).*

No funds reserved under this paragraph or paragraph (3) may be combined with funds appropriated under any other Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this subchapter are separately identified in such grant or payment and are used for the purposes of this subchapter.

[(4)(A)(i) If the amount appropriated under section 639(a) for fiscal year 1991 exceeds the adjusted appropriation, the Secretary shall reserve $30,000,000 for fiscal year 1991, to make grants to Head Start agencies to carry out early childhood intervention programs, to be known as "Parent-Child Centers", within Head Start programs.

[(ii) The Secretary shall reserve $31,200,000 for fiscal year 1992, $32,448,000 for fiscal year 1993, and $33,745,920 for fiscal year 1994 to make grants to Head Start agencies to carry out such early childhood intervention programs.

[(B)(i) Such early childhood intervention programs shall be designed—

[(I) to enhance the development of children who are less than 3 years of age; and

[(II) to strengthen the family unit by providing opportunities for increasing the child development skills, literacy, and knowledge of their parents.

[(ii) Such early childhood intervention programs shall provide comprehensive services (such as social, health, and educational services) to low-income families with children who are less than 3 years of age. Such programs may provide such services to any eligible family during any period of time and may be center-based, home-based, or a combination of both.

[(C) Funds reserved under subparagraph (A) for a fiscal year shall be allotted as follows:

[(i) For Indian and migrant early childhood intervention programs, the Secretary shall allot the amount that represents the same proportion as such programs collectively received of the funds appropriated under section 639 for fiscal year 1990.

[(ii)(I) Subject to subclause (II) and after making the allotment under clause (i), the Secretary shall allot the remainder of such funds among the States in the same proportion as funds are allotted among the States under paragraph (5), except that the amount allotted for each State shall not be less than $200,000 or the amount that represents the same proportion of the funds appropriated under section 639 for fiscal year 1990 that were allotted for such State and used to carry out early childhood intervention programs, whichever is greater.

[(II) In any fiscal year for which such remainder is insufficient to allot the minimum amount required by subclause (I), the Secretary shall reduce ratably the minimum allotment required by such subclause.

[(D) The Secretary may not make a grant under this paragraph to a Head Start agency for a fiscal year unless—

[(i) such agency certifies that carrying out the early childhood intervention program for which such grant is requested will not reduce services provided by such agency to children who participate in other programs provided by such agency under this subchapter; and

[(ii) such agency certifies that to the maximum extent practicable, it will provide continuous service to children who receive services under this paragraph through compulsory school age, either through the early childhood intervention programs authorized by this paragraph or through other Head Start programs.

[(E) For purpose of this paragraph, the term "low-income family" means a family that satisfies the eligibility requirements applicable under section 645(a).]

[(5) The] *(4) Subject to section 639(b), the* Secretary shall allot the remaining amounts appropriated in each fiscal year among the States, in accordance with latest satisfactory data so that—

* * * * * * *

(5)(A) From amounts reserved and allotted pursuant to paragraph (4), the Secretary shall reserve such sums as may be necessary to award the collaboration grants described in subparagraph (B).

(B) From the reserved sums, the Secretary may award a collaboration grant to each State to facilitate collaboration regarding activities carried out in the State under this subchapter, and other activities carried out in, and by, the State that are targeted to low-income children and families.

(C) A State that receives a grant under subparagraph (B) shall—

(i) appoint an individual to serve as a State liaison between—

(I) agencies and individuals carrying out Head Start programs in the State; and

(II) agencies and entities carrying out programs serving low-income children and families;

(ii) involve the State Head Start Association in the selection of the individual, and involve the association in determinations relating to the ongoing direction of the collaboration;

(iii) ensure that the individual holds a position with sufficient authority and access to ensure that the collaboration described in subparagraph (B) is effective and involves a range of State agencies; and

(iv) ensure that the collaboration described in subparagraph (B) involves coordination of Head Start services with health care, welfare, child care, education, and national service activities, and activities relating to children with disabilities.

(D) As used in this paragraph, the term "low-income", used with respect to children or families, shall not be considered to refer only to children or families that meet the low-income criteria prescribed pursuant to section 645(a)(1)(A).

(6) From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a), a portion of the combined total of such amounts equal to 3 percent for fiscal year 1995, 4 percent for each of fiscal years 1996 and 1997, and 5 percent for fiscal year 1998, of the amount appropriated pursuant to section 639(a).

[(6)**]***(7)* For purposes of this subsection, the term "State" does not include Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and Palau.

* * * * * * *

[(g)**]** *(g)(1)* If in any fiscal year, the amounts appropriated to carry out the program under this subchapter exceed the amount appropriated in the prior fiscal year, the Secretary shall, prior to using such additional funds to serve an increased number of children, allocate such funds in a manner that makes available the funds necessary to maintain the level of services provided during the prior year, taking into consideration the percentage change in the Consumer Price Index For All Urban Consumers, as published by the Bureau of Labor Statistics.

(2) For the purpose of expanding Head Start programs, in allocating funds to an applicant within a State, from amounts allotted to a State pursuant to subsection (a)(4), the Secretary shall take into consideration—

(A) the quality of the applicant's programs (including Head Start and other child care or child development programs) in existence on the date of the allocation, including, in the case of Head Start programs in existence on the date of the allocation, the extent to which such programs meet or exceed performance standards and other requirements under this subchapter;

(B) the applicant's capacity to expand services (including, in the case of Head Start programs in existence on the date of the allocation, whether the applicant accomplished any prior expansions in an effective and timely manner);

(C) the extent to which the applicant has undertaker community-wide strategic planning and needs assessments involving other community organizations serving children and families;

(D) the numbers of eligible children in each community who are not participating in a Head Start program; and

(E) the concentration of low-income families in each community.

(3) In determining the amount of funds reserved pursuant to subparagraph (A) or (B) of subsection (a)(2) to be used for expanding Head Start programs under this subchapter, the Secretary shall take into consideration to the extent appropriate, the factors specified in paragraph (2).

(h) **[**Each Head Start program may**]** *Financial assistance provided under this subchapter may be used by each Head Start program to* provide full-working day Head Start services to any eligible child throughout the full calendar year.

(i) The Secretary shall issue regulations establishing requirements for the safety features, and the safe operation, of vehicles used by Head Start agencies to transport children participating in Head Start programs.

(j) Any agency that receives financial assistance under the subchapter to improve the compensation of staff who provide services under this Act shall use the financial assistance to improve the compensation of such staff, regardless of whether the agency has the ability to improve the compensation of staff employed by the agency who do not provide Head Start services.

[COMPREHENSIVE REPORT

[SEC. 640A. (a) The Secretary shall prepare, through the Assistant Secretary for Planning and Evaluation, and shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate—

[(1) not later than July 1, 1993, an interim comprehensive report; and

[(2) not later than January 1, 1994 a final comprehensive report;

in accordance with this section.

[(b) The reports required by subsection (a) shall contain—

[(1) information concerning transportation, facilities, and methods for identifying and locating eligible children in both urban and rural areas, including cost, problems encountered, and innovative solutions to such problems;

[(2) a description of the effect of the 1990 Decennial Census on the allotment of funds under this subchapter;

[(3) a description of the extent to which Head Start programs coordinate their respective activities with other programs serving young children, including local educational agencies;

[(4) separate descriptions of how this subchapter is administered by the headquarters of the Department of Health and Human Services and by its regional offices, including an analysis of the negotiations that occur between such regional offices and applicants for grants under this subchapter;

[(5) summaries of evaluations and studies of Head Start programs, conducted during the period covered by such report;

[(6) a description of the impact of expending funds under section 640(a)(3) on staff qualifications staff wages, and staff turnover of Head Start agencies; and

[(7) information concerning the parents of children participating in programs receiving Head Start funding, including the—

[(i) employment status of such parents (including any change that occurred while the child was enrolled in Head Start);

[(ii) education level of such parents;

[(iii) training or education that such parents received while their children were enrolled in Head Start programs; and

[(iv) impact of parents' schedules on their ability to access Head Start services and participate in the program.

[(c) The Secretary shall meet periodically with the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate to inform the committees of the progress made in preparing the reports required by subsection (a).]

DESIGNATION OF HEAD START AGENCIES

SEC. 641. (a) * * *

(b) For purposes of this subchapter, a community may be a city, county, or multicity or multicounty unit within a State, an Indian reservation *(including members of Indian tribes living near the reservation)* or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to operate a Head Start program.

(c)(1) In the administration of the provisions of this section *(subject to paragraph (2))*, the Secretary shall give priority in the designation of Head Start agencies to any local public or private nonprofit agency which is receiving funds under any Head Start program on the date of the enactment of this Act *unless the Secretary makes a finding that the agency involved fails to meet program, financial management, and other requirements established by the Secretary*. [unless—

(A) the Secretary makes a finding that the agency involved fails to meet program and fiscal requirement established by the Secretary; and]

[(B) except that, if] *(2) If* there is no agency of the type referred to in [subparagraph (A)] *paragraph (1)* because of any change in the assistance furnished to programs for economically disadvantaged persons, the Secretary shall give priority in the designation of Head Start agencies to any successor agency that is operating a Head Start program in substantially the same manner as the predecessor agency that did receive funds in the fiscal year preceding the fiscal year for which the determination is made. [Notwithstanding any other provision of this paragraph] *(3) Notwithstanding any other provision of this subsection and*, the Secretary shall not give such priority to any agency with respect to which financial assistance has been terminated, or an application for refunding has been denied, under this subchapter by the Secretary after affording such agency reasonable notice and opportunity for a full and fair hearing in accordance with section 646(a)(3).

[(2)(A) The Secretary shall conduct a full review of each designated Head Start agency at least once during each 3-year period, and shall determine whether each agency meets program and fiscal requirements established by the Secretary.

[(B) The Secretary shall conduct a review of each newly designated Head Start agency immediately after the completion of the first year such agency carries out a Head Start program.

[(C) The Secretary shall conduct followup reviews of Head Start agencies when appropriate.

[(3) In carrying out a review of each Head Start agency under paragraph (2), the Secretary shall—

[(A) to the maximum extent practicable, carry out such review by using employees of the Department of Health and Human Services who are knowledgeable about Head Start programs;

[(B) ensure that an employee of the Department of Health and Human Services who is knowledgeable about Head Start programs supervises such review at the site of such agency;

[(C) measure the compliance of the programs of such agency with the performance standards in effect under section 651(b); and

[(D) identify the types and conditions of facilities in which such programs are located.

[(4) The results of a review conducted under this subsection shall not be sufficient alone for the purpose of determining whether to continue, or to discontinue, providing funds to a particular Head Start agency.]

(d) [If there is no Head Start agency as described in subsection (c)(2), and no existing Head Start program serving a community,] *If no entity in a community is entitled to the priority specified in subsection (c),* then the Secretary may designate a Head Start agency from among qualified applicants in such community. [Any such designation shall be governed by the program and fiscal requirements, criteria, and standards applicable on September 1, 1983, to then existing Head Start agencies.] In selecting from among qualified applicants for designation as a Head Start agency [and subject to the preceding sentence], the Secretary shall consider the effectiveness of each such applicant to provide Head Start services, based on—

* * * * * * *

[(4) the plan of such applicant to involve parents of children who will participate in the proposed Head Start program in appropriate educational services (in accordance with the performance standards in effect under section 651(b) or through referral of such parents to educational services available in the community) in order to aid their children to attain their full potential;]

(4) the plan of such applicant—

(A) to seek the involvement of parents of participating children in activities designed to help such parents become full partners in the education of their children;

(B) to afford such parents the opportunity to participate in the development, conduct, and overall performance of the program at the local level;

(C) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.)) to such parents—

(i) family literacy services; and

(ii) parenting skills training;

(D) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

(i) parental social self-sufficiency training;

(ii) substance abuse counseling; or

(iii) any other activity designed to help such parents become full partners in the education of their children; and

(E) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in subparagraphs (C) and (D) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities);

* * * * * * *

(7) the plan of such applicant to meet the needs of non-English language children in the community; *and*

[(8) the plan of such applicant to provide (directly or through referral to educational services available in the community) parents of children who will participate in the proposed Head Start program with child development and literacy skills training in order to aid their children to attain their full potential; and]

[(9)]*(8)* the plan of such applicant who chooses to assist younger siblings of children who will participate in the proposed Head Start program to obtain health services from other sources.

* * * * * * *

[(f) The provisions of subsections (c), (d), and (e) shall be applied by the Secretary in the distribution of any additional appropriations made available under this subchapter during any fiscal year as well as to initial designations of Head Start agencies.]

[(g)]*(f)* The Secretary shall require that the practice of significantly involving parents and area residents affected by the program in selection of Head Start agencies be continued.

SEC. 641A. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

(a) QUALITY STANDARDS.—

(1) ESTABLISHMENT OF STANDARDS.—The Secretary shall establish by regulation standards applicable to Head Start agencies, programs, and projects under this subchapter, including—

(A) performance standards with respect to services required to be provided, including health, education, parental involvement, nutritional, social, and other services;

(B) administrative and financial management standards;

(C) standards relating to the condition and location of facilities for such agencies, programs, and projects; and

(D) such other standards as the Secretary finds to be appropriate.

(2) MINIMUM REQUIREMENTS.—The regulations promulgated under this subsection shall establish the minimum levels of overall accomplishment that a Head Start agency shall achieve in order to meet the standards specified in paragraph (1).

(3) CONSIDERATIONS IN DEVELOPING STANDARDS.—In developing the regulations required under paragraph (1), the Secretary shall—

(A) consult with experts in the fields of child development, early childhood education, family services, administration, and financial management, and with persons with experience in the operation of Head Start programs;

(B) take into consideration—

(i) past experience with use of the standards in effect under this subchapter on the date of enactment of this section;

(ii) changes over the period since the date of enactment of this Act in the circumstances and problems typically facing children and families served by Head Start agencies;

(iii) developments concerning best practices with respect to child development, children with disabilities, family services, program administration, and financial management; and

(iv) projected needs of an expanding Head Start program; and

(C)(i) not later than 1 year after the date of enactment of this section, review and revise as necessary the performance standards in effect under 651(b) on the day before the date of enactment of this section; and

(ii) ensure that any such revisions in the performance standards will not result in the elimination of or any reduction in the scope or types of health, education, parental involvement, nutritional, social, or other services

required to be provided under such standards as in effect on November 2, 1978.

(4) STANDARDS RELATING TO OBLIGATIONS TO DELEGATE AGENCIES.—In developing standards under this subsection, the Secretary shall describe the obligations of a Head Start agency to an agency (referred to in this subchapter as the "delegate agency") to which the Head Start agency has delegated responsibility for providing services under this subchapter and determine whether the Head Start agency complies with the standards. The Secretary shall consider such compliance during the review described in subsection (c)(1)(A) and in determining whether to renew financial assistance to the Head Start agency under this subchapter.

(b) PERFORMANCE MEASURES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary, in consultation with representatives of Head Start agencies and with experts in the fields of child development, family services, and program management, shall develop methods and procedures for measuring, annually and over longer periods, the quality and effectiveness of programs operated by Head Start agencies (referred to in this subchapter as "performance measures").

(2) DESIGN OF MEASURES.—The performance measures developed under this subsection shall be designed—

(A) to assess the various services provided by Head Start programs and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

(B) to be adaptable for use in self-assessment and peer review of individual Head Start agencies and programs; and

(C) for other program purposes as determined by the Secretary.

(3) USE OF MEASURES.—The Secretary shall use the performance measures developed pursuant to this subsection—

(A) to identify strengths and weaknesses in the operation of Head Start programs nationally and by region; and

(B) to identify problem areas that may require additional training and technical assistance resources.

(c) MONITORING OF LOCAL AGENCIES AND PROGRAMS.—

(1) IN GENERAL.—In order to determine whether Head Start agencies meet standards established under this subchapter with respect to program, administrative, financial management, and other requirements, the Secretary shall conduct the following reviews of designated Head Start agencies, and of the Head Start programs operated by such agencies:

(A) A full review of each such agency at least once during each 3-year period.

(B) A review of each newly designated agency immediately after the completion of the first year such agency carries out a Head Start program.

(C) Followup reviews including prompt return visits to agencies and programs that fail to meet the standards.

(D) Other reviews as appropriate.

(2) CONDUCT OF REVIEWS.—The Secretary shall ensure that reviews described in subparagraphs (A) through (C) of paragraph (1)—

(A) are performed, to the maximum extent practicable, by employees of the Department of Health and Human Services who are knowledgeable about Head Start programs; and

(B) are supervised by such employee at the site of such Head Start agency.

(d) CORRECTIVE ACTION; TERMINATION.—

(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start agency designated pursuant to section 641 fails to meet the standards described in subsection (c), the Secretary shall—

(A) inform the agency of the deficiencies that shall be corrected;

(B) with respect to each identified deficiency, require the agency—

(i) to correct the deficiency immediately; or

(ii) at the discretion of the Secretary (taking into consideration the seriousness of the deficiency and the time reasonably required to correct the deficiency), to comply with the requirements of paragraph (2) concerning a quality improvement plan; and

(C) initiate proceedings to terminate the designation of the agency unless the agency corrects the deficiency.

(2) QUALITY IMPROVEMENT PLAN.—

(A) AGENCY RESPONSIBILITIES.—In order to retain a designation as a Head Start agency under this subchapter, a Head Start agency that is the subject of a determination described in paragraph (1) (other than an agency able to correct a deficiency immediately) shall—

(i) develop in a timely manner, obtain the approval of the Secretary regarding, and implement a quality improvement plan that specifies—

(I) the deficiencies to be corrected;

(II) the actions to be taken to correct such deficiencies; and

(III) the timetable for accomplishment of the corrective actions specified; and

(ii) eliminate each deficiency identified, not later than the date for elimination of such deficiency specified in such plan (which shall not be later than 1 year after the date the agency received notice of the determination and of the specific deficiency to be corrected).

(B) SECRETARIAL RESPONSIBILITY.—Not later than 30 days after receiving from a Head Start agency a proposed quality improvement plan pursuant to subparagraph (A), the Secretary shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

(3) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary shall provide training and technical assistance to Head Start agencies with respect to the development or implementation of

such quality improvement plans to the extent the Secretary finds such provision to be feasible and appropriate given available funding and other statutory responsibilities.

(e) SUMMARIES OF MONITORING OUTCOMES.—The Secretary shall publish annually, following the end of each fiscal year, a summary report on the findings of reviews conducted under subsection (c), and on the outcomes of quality improvement plans implemented under subsection (d), during such fiscal year.

POWERS AND FUNCTIONS OF HEAD START AGENCIES

SEC. 642. (a) * * *

(b) In order to be so designated, a Head Start agency must also (1) establish effective procedures by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests; (2) provide for their regular participation in the implementation of such programs; (3) provide technical and other support needed to enable parents and area residents to secure on their own behalf available assistance from public and private sources; [(4) involve parents of children participating in its Head Start program in appropriate educational services (in accordance with the performance standards in effect upon section 651(b) or through referral of such parents to educational services available in the community) in order to aid their children to attain their full potential;] *(4) seek the involvement of parents of participating children in activities designed to help such parent become full partners in the education of their children, and to afford such parents the opportunity to participate in the development, conduct, and overall performance of the program at the local level; (5) offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.)), to parents of participating children, family literacy services and parenting skills training; (6) at the option of such agency, offer (directly or through referral to local entities), to such parents, parental social self-sufficiency training, substance abuse counseling, or any other activity designed to help such parents become full partners in the education of their children; (7) provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in paragraphs (4) through (6) in which such parents may choose to be involved (taking into consideration their specific family needs, work schedules, and other responsibilities);* [(5)] *(8)* establish procedures to seek reimbursement, to the extent feasible, from other agencies for services for which any such other agency is responsible, which are provided to a Head Start participant by the Head Start agency; *and* [(6) provide (directly or through referral to educational services available in the community) parents of children participating in its Head Start program with child development and literacy skills training in order to aid their children to attain their full potential; and (7)] *(9)* consider providing services to assist younger siblings of children participating in its Head Start program to obtain health services from other sources.

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(c) The head of each Head Start agency shall coordinate with [schools that will subsequently serve children in Head Start programs,] the State agency responsible for administering section 402(g) of the Social Security Act, and other programs serving the children and families served by the Head Start agency to carry out the provisions of this subchapter.

(d)(1) Each Head Start agency shall carry out the actions specified in this subsection, to the extent feasible and appropriate in the circumstances (including the extent to which such agency is able to secure the cooperation of parents and schools) to enable children to maintain the developmental gains achieved in Head Start programs and to build upon such gains in further schooling.

(2) The Head Start agency shall take steps to coordinate with the local educational agency (as defined in section 1471(12) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2891(12)) serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including—

(A) developing and implementing a systematic procedure for transferring Head Start program records for each participating child to the school in which such child will enroll;

(B) establishing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, and health staff) to facilitate coordination of programs;

(C) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start program teachers to discuss the developmental and other needs of individual children; and

(D) organizing and participating in joint transition-related training of school staff and Head Start staff.

(3) In order to promote the continued involvement of the parents of children that participate in Head Start programs in the education of their children upon transition to school, the Head Start agency shall—

(A) provide training to the parents—

(i) to inform the parents about their rights and responsibilities concerning the education of their children; and

(ii) to enable the parents to understand and work with schools in order to communicate with teachers and other school personnel, to support the school work of their children, and to participate as appropriate in decisions relating to the education of their children; and

(B) take other actions, as appropriate and feasible, to support the active involvement of the parents with schools, school personnel, and school-related organizations.

(4) The Secretary of Health and Human Services and the Secretary of Education shall assess the results of the activities funded under the Head Start Transition Project Act (42 U.S.C. 9855 et seq.) and shall work together to provide technical assistance to enable communities to implement proposed practices emerging from the activities, to improve the Head Start programs and programs of the schools.

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ADMINISTRATIVE REQUIREMENTS AND STANDARDS

SEC. 644. (a) * * *

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(d) At least 30 days prior to their effective date, all rules, regulations, [guidelines, instructions,] and application forms shall be published in the Federal Register and shall be sent to each grantee with the notification that each such grantee has the right to submit comments pertaining thereto to the Secretary prior to the final adoption thereof.

(e) Funds appropriated to carry out this subchapter shall not be used to assist, promote, or deter union organizing.

(f)(1) The Secretary shall establish uniform procedures for Head Start agencies to request approval to purchase facilities to be used to carry out Head Start programs.

(2) Except as provided in section [640(a)(3)(A)(v)] *640(a)(3)(C)(v)*, financial assistance provided under this subchapter may not be used by a Head Start agency to purchase a facility (including paying the cost of amortizing the principal, and paying interest on, loans) to be used to carry out a Head Start program unless the Secretary approves a request that is submitted by such agency and contains—

* * * * * * *

(3) Upon a determination by the Secretary that suitable facilities are not otherwise available to Indian tribes to carry out Head Start programs, and that the lack of suitable facilities will inhibit the operation of such programs, the Secretary, in the discretion of the Secretary, may authorize the use of financial assistance, from the amount reserved under section 640(a)(2)(A), to make payments for the purchase of facilities owned by such tribes. The amount of such a payment for such a facility shall not exceed the fair market value of the facility.

(g)(1) Upon a determination by the Secretary that suitable facilities (including public school facilities) are not otherwise available to Indian tribes, rural communities, and other low-income communities to carry out Head Start programs, that the lack of suitable facilities will inhibit the operation of such programs, and that construction of such facilities is more cost effective than purchase of available facilities or renovation, the Secretary, in the discretion of the Secretary, may authorize the use of financial assistance under this subchapter to make payments for capital expenditures related to facilities that will be used to carry out such programs. The Secretary shall establish uniform procedures for Head Start agencies to request approval for such payments and shall promote, to the fullest extent practicable, the co-location of Head Start programs with other programs serving low-income children and families.

(2) Such payments may be used for capital expenditures (including paying the cost of amortizing the principal, and paying interest on, loans) such as expenditures for—

(A) construction of facilities that are not in existence on the date of the determination;

(B) major renovation of facilities in existence on such date; and

(C) purchase of vehicles used for programs conducted at Head Start facilities.

(3) All laborers and mechanics employed by contractors or subcontractors in the construction or renovation of facilities to be used to carry out Head Start programs shall be paid wages at not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended (40 U.S.C. 276a et seq., commonly known as the 'Davis-Bacon Act').

(h) In all personnel actions of the American Indian Programs Branch of the Head Start Bureau of the Administration for Children and Families, the Secretary shall give the same preference to individuals who are members of an Indian tribe as the Secretary gives to a disabled veteran, as defined in section 2108(3)(C) of title 5, United States Code. The Secretary shall take such additional actions as may be necessary to promote recruitment of such individuals for employment in the Administration.

PARTICIPATION IN HEAD START PROGRAMS

SEC. 645. (a)(1) * * *

* * * * * * *

(c) Each Head Start program operated in a community [may provide more than one year of Head Start services to children from age 3 to the age of compulsory school attendance in the State in which the Head Start program is located. The Secretary may not issue or enforce any rule (as defined in section 551(4) of title 5 of the United States Code) or guideline that forbids any Head Start agency to carry out a Head Start program in accordance with the authority described in the preceding sentence.] shall be permitted to provide more than 1 year of Head Start services to eligible children in the State.

(d)(1) An Indian tribe that—

(A) operates a Head Start program;

(B) enrolls as participants in the program all children in the community served by the tribe (including a community with a near-reservation designation, as defined by the Bureau of Indian Affairs) from families that meet the low-income criteria prescribed under subsection (a)(1)(A); and

(C) has the resources to enroll additional children in the community who do not meet the low-in-come criteria;

may enroll such additional children in a Head Start program, in accordance with this subsection, if the program predominantly serves children who meet the low-income criteria.

(2) The Indian tribe shall enroll the children in the Head Start program in accordance with such requirements as the Secretary may specify by regulation promulgated after consultation with Indian tribes.

(3) In providing services through a Head Start program to such children, the Indian tribe may not use funds that the Secretary has determined, in accordance with section 640(g)(3), are to be used for expanding Head Start programs under this subchapter.

SEC. 645A. PROGRAMS FOR FAMILIES WITH INFANTS AND TODDLERS.

(a) IN GENERAL.—The Secretary shall make grants, in accordance with the provisions of this section for—

(1) programs providing family-centered services for low-income families with very young children designed to promote the development of the children, and to enable their parents to fulfill their roles as parents and to move toward self-sufficiency; and

(2) provision of training and technological assistance to entities carrying out programs, and evaluation of programs, that were supported under the Comprehensive Child Development Act (42 U.S.C. 9881 et seq.), as in effect on the day before the date of enactment of this section.

(b) Scope and Design of Programs.—In carrying out a program described in subsection (a), an entity receiving assistance under this section shall—

(1) provide, either directly or through referral, early, continuous, intensive, and comprehensive child development and family support services that will enhance the physical, social, emotional, and intellectual development of participating children;

(2) ensure that the level of services provided to families responds to their needs and circumstances;

(3) promote positive parent-child interactions;

(4) provide services to parents to support their role as parents and to help the families move toward self-sufficiency (including educational and employment services as appropriate);

(5) coordinate services with services provided by programs in the State and programs in the community to ensure a comprehensive array of services (such as health and mental health services);

(6) ensure formal linkages with local Head Start programs in order to provide for continuity of services for children and families.

(7) in the case of a Head Start agency that operates a program and that also provides Head start services through the age of mandatory school attendance, ensure that children and families participating in the program receive such services through such age, and

(8) meet such other requirements concerning design and operation of the program described in subsection (a) as the Secretary may establish.

(c) PERSONS ELIGIBLE TO PARTICIPATE.—Persons who may participate in programs described in subsection (a)(1) include—

(1) pregnant women; and

(2) families with children under age 3 (or under age 5, in the case of children served by an entity specified in subsection (e)(3));

who meet the income criteria specified for families in section 645(a)(1).

(d) ELIGIBLE SERVICE PROVIDERS.—To be eligible to receive assistance under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Entities that may apply to carry out activities under this section include—

(1) entities operating Head Start programs under this subchapter;

(2) entities that, on the day before the date of enactment of this section, were operating—

(A) Parent-Child Centers receiving financial assistance under section 640(a)(4), as in effect on such date; or

(B) programs receiving financial assistance under the comprehensive child development, as in effect on such date; and

(3) other public entities, and nonprofit private entities, capable of providing child and family services that meet the standards for participation in programs under this subchapter and meet such other appropriate requirements relating to the activities under this section as the Secretary may establish.

(e) Time-Limited Priority for Certain Entities.—

(1) In general.—From amounts allotted pursuant to paragraphs (2) and (4) of section 640(a), the Secretary shall provide financial assistance in accordance with paragraphs (2) and (4).

(2) Parent-child centers.—The Secretary shall make financial assistance available under this section for each of fiscal year 1995, 1996, and 1997 to any entity that—

(A) complies with subsection (b); and

(B) received funding as a Parent-Child Center pursuant to section 640(a)(4), as in effect on the day before the date of enactment of this section, for fiscal year 1994.

(3) Comprehensive child development centers.—

(A) In the case of an entity that received a grant for fiscal year 1994 to operate a project under the Comprehensive child development Act, the Secretary—

(i) shall make financial assistance available under this section, in a comparable amount and scope to the assistance provided for fiscal year 1994, for the duration of the project period specified in the grant award to such entity under such Act; and

(ii) shall permit such entity, in carrying out activities assisted under this section, to serve children from birth through age 5.

(B) In the case of an entity that received a grant for fiscal year 1989 to operate a project under the Comprehensive Child Development Act, the Secretary shall make assistance available under this section for each of fiscal years 1995, 1996, and 1997 to any entity that complies with subsection (b).

(4) Evaluations, training, and technical assistance.—The Secretary shall make financial assistance available under this section as necessary to provide for the evaluation of, and furnishing of training and technical assistance to, programs specified in paragraph (3)(A).

(f) Selection of Other Grant Recipients.—From the balance remaining of the portion specified in section 640(a)(6), after making grants to the eligible entities specified in subsection (e), the Secretary shall award grants under this subsection on a competitive basis to applicants meeting the criteria specified in subsection (d)

(giving priority to entities with a record of providing early, continuous, and comprehensive childhood development and family services).

(g) DISTRIBUTION.—In awarding grants to eligible applicants under this section, the Secretary shall—

(1) ensure an equitable national geographic distribution of the grants; and

(2) award grants to applicants proposing to serve communities in rural areas and to applicants proposing to serve communities in urban areas.

(h) SECRETARIAL RESPONSIBILITIES.—

(1) GUIDELINES.—Not later than September 30, 1994, the Secretary shall develop program guidelines concerning the content and operation of programs assisted under this section—

(A) in consultation with experts in early childhood development, experts in health, and experts in family services; and

(B) taking into consideration the knowledge and experience gained from other early childhood programs, including programs under the Comprehensive Child Development Act.

(2) STANDARDS.—Not later than December 30, 1994, the Secretary shall develop and publish performance standards for programs assisted under this section, and a grant announcement based on the guidelines developed under paragraph (1).

(3) MONITORING, TRAINING, TECHNICAL ASSISTANCE, AND EVALUATION.—In order to ensure the successful operation of programs assisted under this section, the Secretary shall use funds from the balance described in subsection (f) to monitor the operation of such programs, evaluate their effectiveness, and provide training and technical assistance tailored to the particular needs of such programs.

APPEALS, NOTICE, AND HEARING

SEC. 646. (a) * * *

* * * * * * *

(2) financial assistance under this subchapter shall not be suspended, except in emergency situations, unless the recipient agency has been given reasonable notice and opportunity to show cause why such action should not be taken; [and]

(3) financial assistance under this subchapter shall not be terminated or reduced, an application for refunding shall not be denied, and a suspension of financial assistance shall not be continued for longer than 30 days, unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing[.]*; and*

(4) the Secretary shall develop and publish procedures (including mediation procedures) to be used in order to—

(A) resolve in a timely manner conflicts potentially leading to adverse action between—

(i) recipients of financial assistance under this subchapter; and

(ii) delegate agencies or Head Start Parent Policy Councils; and

(B) avoid the need for an administrative hearing.

[(b) The Secretary may not prescribe any procedure that would modify the operation of section 1303.21 or 1303.33, or any of subdivisions (a) through (f) of section 1303.35, of title 45 of the Code of Federal Regulations as in effect on April 1, 1990.]

(b) In prescribing procedures for the mediation described in subsection (a)(4), the Secretary shall specify—

(1) the date by which a Head Start agency engaged in a conflict described in subsection (a)(4) will notify the appropriate regional office of the Department of the conflict;

(2) a reasonable period for the mediation;

(3) a timeline for an administrative hearing, if necessary, to resolve the conflict; and

(4) a timeline by which the person conducting the administrative hearing shall issue a decision based on the hearing.

(c) In any case in which a termination, reduction, or suspension of financial assistance under this subchapter is upheld in an administrative hearing under this section, such termination, reduction, or suspension shall not be stayed pending any judicial appeal of such administrative decision.

(d)(1) The Secretary shall by regulation specify a process by which an Indian tribe may identify and establish an alternative agency, and request that the alternative agency be designated under section 641 as the Head Start agency providing services to the tribe, if—

(A) the Secretary terminates financial assistance under section 646 to the only agency that was receiving financial assistance to provide Head Start services to the Indian tribe; and

(B) the tribe would otherwise be precluded from providing such services to the members of the tribe.

(2) The regulation required by this subsection shall prohibit such designation of an alternative agency that includes an employee who—

(A) served on the administrative staff or program staff of the agency described in paragraph (1)(A); and

(B) was responsible for a deficiency that—

(i) relates to the performance standards or financial management standards described in section 641A(a)(1); and

(ii) was the basis for the termination of financial assistance described in paragraph (1)(A);

as determined by the Secretary after providing the notice and opportunity described in subsection (a)(3).

* * * * * * *

[TECHNICAL ASSISTANCE, TRAINING, AND STAFF QUALIFICATIONS]

TECHNICAL ASSISTANCE AND TRAINING

SEC. 648. (a) The Secretary shall provide, directly or through grants or other arrangements (1) technical assistance to communities in developing conducting, and administering programs under this subchapter; and (2) training for specialized or other personnel needed in connection with [Head Start programs, including] Head Start provisions for allocating resources, set forth in subsections (b) and (c).

[(b)(1) The Secretary shall ensure that not later than September 30, 1994, each Head Start classroom in a center-based program is assigned one teacher who has—

[(A) a child development associate (CDA) credential that is appropriate to the age of the children being served in center-based programs;

[(B) a State awarded certificate for preschool teachers that meets or exceeds the requirements for a child development associate credential;

[(C) an associate, baccalaureate, or advanced degree in early childhood education; or

[(D) a degree in a field related to early childhood education with experience in teaching preschool children and a State awarded certificate to teach in a preschool program.

[(2) On request, the Secretary shall grant a 180–day waiver of the applicability of paragraph (1) with respect to an individual who—

[(A) is first employed after September 30, 1994, by a Head Start agency as a teacher for a Head Start classroom;

[(B) is enrolled in a program that grants a child development credential (CDA); and

[(C) will receive such credential under the terms of such program not later than 180 days after beginning employment as a teacher with such agency.

[The Secretary may not grant more then one such wavier with respect to such individual.

[(c) The Secretary shall—

[(1) develop a systematic approach to training Head Start personnel, including—

[(A) specific goals and objectives for program improvement and continuing professional development;

[(B) a process for continuing input from the Head Start community; and

[(C) a strategy for delivering training and technical assistance; and

[(2) report on the approach developed under paragraph (1) to the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor or the House of Representatives.]

(b) The process for determining the technical assistance and training activities to be carried out under this section shall—

(1) ensure that the needs of local Head Start agencies and programs relating to improving program quality and to program expansion are addressed to the maximum extent feasible; and

(2) incorporate mechanisms to ensure responsiveness to local needs, including an ongoing procedure for obtaining input from the individuals and agencies carrying out Head Start programs.

(c) In allocating resources for technical assistance and training under this section, the Secretary shall—

(1) give priority consideration to activities to correct program and management deficiencies identified through reviews pursuant to section 641A(c) (including the provision of assistance to

local programs in the development of quality improvement plans under section 641A(d)(2));

(2) address the training and career developments needs of classroom staff (including instruction for providing services to children with disabilities) and nonclassroom staff, including home visitors, and other staff working directly with families, including training relating to increasing parent involvement and services designed to increase family literacy and improve parenting skills;

(3) assist Head Start agencies and programs in conducting and participating in communitywide strategic planning and needs assessment;

(4) assist Head Start agencies and programs in the development of sound management practices, including financial management procedures; and

(5) assist in efforts to secure and maintain adequate facilities for Head Start programs.".

(d) The Secretary may provide, either directly or through grants to public or private nonprofit entities, training for Head Start personnel in the use of the performing and visual arts and interactive programs using electronic media to enhance the learning experience of Head Start children.

(e) The Secretary shall provide, either directly or through grants or other arrangements, funds from programs authorized under this subchapter to support an organization to administer a centralized child development and national assessment program leading to recognized credentials for personnel working in early childhood development and child care programs, training for personnel providing services to non-English language background children, training for personnel in helping children cope with community violence, and resource access projects for personnel working with disabled children.

SEC. 648A. STAFF QUALIFICATIONS AND DEVELOPMENT.

(a) CLASSROOM TEACHERS.—

(1) DEGREE REQUIREMENTS.—The Secretary shall ensure that not later than September 30, 1996, each Head Start classroom in a center-based program is assigned one teacher who has—

(A) a child development associate (ADA) credential that is appropriate to the age of the children being served in center-based programs;

(B) a State-awarded certificate for preschool teachers that meet or exceed the requirements for a child development associate credential;

(C) an associate, a baccalaureate, or an advanced degree in early childhood education; or

(D) a degree in a field related to early childhood education with experience in teaching preschool children and a State-awarded certificate to teach in a preschool program.

(2) WAIVER.—On request, the Secretary shall grant a 180-day waiver of the requirements of paragraph (1) with respect to an individual who—

(A) is first employed after September 30, 1996, by a Head Start agency as a teacher for a Head Start classroom;

(B) is enrolled in a program that grants any credential, certificate, or degree specified in subparagaph (A), (B), (C), or (D) of paragraph (1); and

(C) will receive such credential under the terms of such program not later than 180 days after beginning employment as a teacher with such agency.

(3) LIMITATION.—The Secretary may not grant more than one such waiver with respect to such individual.

(b) MENTOR TEACHERS—

(1) DEFINITION; FUNCTION.—For purposes of this subsection, the term "mentor teacher" means an individual responsible for observing and assessing the classroom activities of a Head Start program and providing on-the-job guidance and training to the Head Start program staff and volunteers, in order to improve the qualifications and training of classroom staff, to maintain high quality education services, and to promote career development, in Head Start programs.

(2) REQUIREMENT.—In order to assist Head Start agencies in establishing positions for mentor teachers, the Secretary shall—

(A) provide technical assistnace and training to enable Head Start agencies to establish such positions;

(B) give priority consideration, in providing assistance pursuant to subparagraph (A), to Head Start programs that have substantial numbers of new classroom staff or that are experiencing difficulty in meeting applicable education standards; and

(C) encourage Head Start programs to give priority consideration for such positions to Head Start teachers at the appropriate level of career advancement in such programs.

(c) FAMILY SERVICE WORKERS.—In order to improve the quality and effectiveness of staff providing inhome and other services (including needs assessment, development of service plans, family advocacy, and coordination of service delivery) to families of children participating in Head Start programs, the Secretary, in coordination with concerned public and private agencies and organizations examining the issues of standards and training for family service workers, shall—

(1) review and, as necessary, revise or develop new qualification standards for Head Start staff providing such services;

(2) promote the development of model curricula (on subjects including parenting training and family literacy) designed to ensure the attainment of appropriate competencies by individuals working or planning to work in the field of early childhood and family services; and

(3) promote the establishment of a credential that indicates attainment of the competencies and that is accepted nationwide.

(d) HEAD START FELLOWSHIPS.—

(1) AUTHORITY.—The Secretary may establish a program of fellowships, to be known as "Head Start Fellowships", in accordance with this subsection. The Secretary may award the fellowships to individuals, to be known as "Head Start Fellows", who are staff in local Head Start programs or other individuals working in the field of child development and family services.

(2) Purpose.—The fellowship program established under this subsection shall be designed to enhance the ability of Head Start Fellows to make significant contributions to programs authorized under this subchapter, by providing opportunities to expand their knowledge and experience through exposure to activities, issues, resources, and new approaches, in the field of child development and family services.

(3) Assignments of fellows.—

(A) Placement sites.—Fellowship positions under the fellowship program may be located (subject to subparagraphs (B) and (C))—

(i) in agencies of the Department of Health and Human Services administering programs authorized under this subchapter (in national or regional offices of such agencies);

(ii) in local Head Start agencies and programs;

(iii) in institutions of higher education;

(iv) in public or private entities and organizations concerned with services to children and families; and

(v) in other appropriate settings.

(B) Limitation for fellows other than Head Start employees.—A Head Start Fellow who is not an employee of a local Head Start agency or program may be placed only in a fellowship position located in an agency or program specified in clause (i) or (ii) of subparagraph (A).

(C) No placement in lobbying organizations.—Head Start Fellowship positions may not be located in any agency whose primary purpose, or one of whose major purposes, is to influence Federal, State, or local legislation.

(4) Selection of fellows.—Head Start Fellowships shall be awarded on a competitive basis to individuals (other than Federal employees) selected from among applicants who are working, on the date of application, in local Head Start programs or otherwise working in the field of child development and children and family services.

(5) Duration.—Head Start Fellowships shall be for terms of 1 year, and may be renewed for a term of 1 additional year.

(6) Authorized expenditures.—From amounts appropriated under this subchapter and allotted under section 640(a)(2)(D), the Secretary is authorized to make expenditures of not to exceed $1,000,000 for any fiscal year, for stipends and other reasonable expenses of the fellowship program.

(7) Status of fellows.—Except as otherwise provided in this paragraph, Head Start Fellows shall not be considered to be employees or otherwise in the service or employment of the Federal Government. Head Start Fellows shall be considered to be employees for purposes of compensation for injuries under chapter 81 of title 5, United States Code. Head Start Fellows assigned to positions located in agencies specified in paragraph (3)(A)(i) shall be considered employees in the executive branch of the Federal Government for the purposes of chapter 11 of title 18, United States Code, and for purposes of any administrative standards of conduct applicable to the employees of the agency to which they are assigned.

(8) REGULATIONS.—The Secretary shall promulgate regulations to carry out this subsection.

(e) MODEL STAFFING PLANS.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in consultation with appropriate public agencies, private agencies, and organizations and with individuals with expertise in the field of children and family services, shall develop model staffing plans to provide guidance to local Head Start agencies and programs on the numbers, types, responsibilities, and qualifications of staff required to operate a Head Start program.

[RESEARCH, DEMONSTRATION, PILOT PROJECTS, STUDIES, AND REPORTS

[SEC. 649. (a) The Secretary may provide financial assistance through grants or contracts for research, demonstration, or pilot projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise in furthering the purposes of this subchapter.

[(b) The Secretary shall establish an overall plan to govern the approval of research, demonstration, or pilot projects and the use of all research authority under this subchapter. Such plan shall set forth specific objectives to be achieved and priorities among such objectives.

[(c) No funds appropriated under this subchapter may be combined with funds appropriated under any other Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this subchapter are separately identified in such grant or payment and are used for the purposes of this title.

[(d) Subject to subsections (a) through (c), the Secretary shall conduct, through grants or contracts made or entered into with qualified persons, a study of various approaches to providing early, continuous, and comprehensive intervention to low-income or at-risk children from birth to age 3 and to the families of such children. Such study shall describe and assess a variety of approaches to providing such services, including—

[(1) programs funded under the Comprehensive Child Development Act; and

[(2) Parent-Child Centers, home-based Head Start programs, Head Start family day care, and center-based Head Start (including migrant and nonmigrant programs), that are in compliance with the performance standards under section 651(b).

[Such study shall assess such approaches based on their appropriateness for specific populations of children, including those from dysfunctional families, children of substance abusers, and children who experience chronic violence in their communities.

[(e) The Secretary shall conduct, through grants or contracts made or entered into with qualified persons, a study of Head Start family day care that is in compliance with the performance standards under section 651(b). Such study shall consider the effectiveness of providing Head Start services in a family day care setting and assess the program characteristics that are necessary to ensure the programs are effective.

[(f) Not later than October 1, 1993, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report summarizing the results of the studies conducted under subsections (d) and (e).]

SEC. 649. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

(a) In General.—

(1) Requirement; general purposes.—The Secretary shall carry out a continuing program of research, demonstration, and evaluation activities, in order to—

(A) foster continuous improvement in the quality of the Head Start programs under this subchapter and in their effectiveness in enabling participating children and their families to succeed in school and otherwise; and

(B) use the Head Start programs to develop, test, and disseminate new ideas and approaches for addressing the needs of low-income preschool children (including children with disabilities) and their families and communities, and otherwise to further the purposes of this subchapter.

(2) Plan.—The Secretary shall develop, and periodically update, a plan governing the research, demonstration, and evaluation activities under this section.

(b) Conduct of Research, Demonstration, and Evaluation Activities.—The Secretary, in order to conduct research, demonstration, and evaluation activities under this section—

(1) may carry out such activities directly, or through grants to, or contracts or cooperative agreements with, public or private entities;

(2) shall, to the extent appropriate, undertake such activities in collaboration with other Federal agencies, and with non-Federal agencies, conducting similar activities;

(3) shall ensure that evaluation of activities in a specific program or project is conducted by persons not directly involved in the operation of such program or project;

(4) may require Head Start agencies to provide for independent evaluations;

(5) may approve, in appropriate cases, community-based cooperative research and evaluation efforts to enable Head Start programs to collaborate with qualified researchers not directly involved in program administration or operation; and

(6) may collaborate with organizations with expertise in inclusive educational strategies for preschoolers with disabilities.

(c) Consultation and Collaboration.—In carrying out activities under this section, the Secretary shall—

(1) consult with—

(A) individuals from relevant academic disciplines;

(B) individuals who are involved in the operation of Head Start programs and individuals who are involved in the operation of other child and family service programs; and

(C) individuals from other Federal agencies, and individuals from organizations, involved with children and families, ensuring that the individuals described in this subparagraph reflect the multicultural nature of the children

and families served by the Head Start programs and multidisciplinary nature of the Head Start programs;

(2) whenever feasible and appropriate, obtain the views of persons participating in and served by programs and projects assisted under this subchapter with respect to activities under this section; and

(3) establish, to the extent appropriate, working relationships with the faculties of institutions of higher education, as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), located in the area in which any evaluation under this section is being conducted, unless there is no such institution of higher education willing and able to participate in such evaluation.

(d) Specific Objectives.—The research, demonstration, and evaluation activities under this subchapter shall include components designed to—

(1) permit ongoing assessment of the quality and effectiveness of the programs under this subchapter;

(2) contribute to developing knowledge concerning factors associated with the quality and effectiveness of Head Start programs and in identifying ways in which services provided under this subchapter may be improved;

(3) assist in developing knowledge concerning the factors that promote or inhibit healthy development and effective functioning of children and their families both during and following participation in a Head Start program;

(4) permit comparisons of children and families participating in Head Start programs with children and families receiving other child care, early childhood education, or child development services and with other appropriate control groups;

(5) contribute to understanding the characteristics and needs of population groups eligible for services provided under this subchapter and the impact of such services on the individuals served and the communities in which such services are provided;

(6) provide for disseminating and promoting the use of the findings from such research, demonstration, and evaluation activities; and

(7) promote exploration of areas in which knowledge is insufficient, and that will otherwise contribute to fulfilling the purposes of this subchapter.

(e) Longitudinal Studies.—In developing priorities for research, demonstration, and evaluation activities under this section, the Secretary shall give special consideration to longitudinal studies that—

(1) examine the developmental progress of children and their families both during and following participation in a Head Start program, including the examination of factors that contribute to or detract from such progress;

(2) examine factors related to improving the quality of the Head Start programs and the preparation the programs provide for children and their families to function effectively in schools and other settings in the years following participation in such a program; and

(3) as appropriate, permit comparison of children and families participating in Head Start programs with children and families receiving other child care, early childhood education, or child development services, and with other appropriate control groups.

(f) OWNERSHIP OF RESULTS.—The Secretary shall take necessary steps to ensure that all studies, reports, proposals, and data produced or developed with Federal funds under this subchapter shall become the property of the United States.

[ANNOUNCEMENT OF RESEARCH, DEMONSTRATION, PILOT PROJECTS, STUDIES, AND REPORT CONTRACTS

[SEC. 650. (a) The Secretary shall make a public announcement concerning—

[(1) the title, purpose, intended completion date, identity of the grantee or contractor, and proposed cost of any grant or contract with a private or non-Federal public agency or organization for any research, demonstration, pilot project, study, or report under this subchapter; and

[(2) the results, findings, data, or recommendations made or reported as a result of such activities.

[(b) The public announcements required by subsection (a)(1) shall be made within 30 days of making such grants or contracts, and the public announcements required by subsection (a)(2) shall be made within 90 days of the receipt of such results.

[(c) The Secretary shall take necessary action to assure that all studies, reports, proposals, and data produced or developed with Federal funds employed under this subchapter shall become the property of the United States.

[(d) The Secretary shall publish summaries of the results of activities carried out pursuant to this subchapter not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such summaries.]

[EVALUATION

[SEC. 651. (a) The Secretary shall provide, directly or through grants or contracts, for the continuing evaluation of programs under this subchapter, including evaluations that measure and evaluate the impact of programs authorized by this subchapter, in order to determine their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. Evaluations shall be conducted by persons not directly involved in the administration of the program or project operation.

[(b) The Secretary shall operate the programs and projects covered by this subchapter in accordance with Head Start performance standards. Any revisions in such standards shall not result in the elimination of nor any reduction in the scope or types of health, education, parental involvement, social or other services required to be provided under the standards in effect on November 2, 1978. The extent to which such standards have been met shall be considered in deciding whether to renew or supplement financial assistance authorized under this subchapter.

[(c)(1) In carrying out evaluations under this subchapter, the Secretary shall establish working relationships with the faculties of colleges or universities located in the area in which any such evaluation is being conducted, unless there is no such college or university willing and able to participate in the evaluation. For purposes of the preceding sentence, for any single evaluation areas in which such working relationships are established may not be larger than 3 contiguous States.

[(2) In carrying out evaluations under this subchapter, the Secretary may require Head Start agencies to provide for independent evaluations. The Secretary is encouraged to provide funds for community-based cooperative research efforts to enable Head Start directors to conduct evaluations of their programs with the assistance of qualified researchers not directly involved in the administration of the program or project operation.

[(d) In carrying out evaluations under this subchapter, the Secretary shall, whenever feasible, arrange to obtain the specific views of persons participating in and served by programs and projects assisted under this subchapter about such programs and projects.

[(e) The Secretary shall publish the result of evaluative research and summaries of evaluations of program and project impact and effectiveness not later than 90 days after the completion thereof. The Secretary shall submit to the appropriate committees of the Congress copies of all such research studies and evaluation summaries.

[(f) The Secretary shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with assistance under this subchapter shall become the property of the United States.]

SEC. 650. REPORTS.

[(g)] At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report concerning the status of children (including disabled and non-English language background children) in Head Start programs, including the number of children and the services being provided to such children. Such report shall include—

* * * * * * *

(10) using data from the [evaluations conducted under section 641(c)(2)] *monitoring conducted under section 641(c)*—

(A) a description of the extent to which programs funded under this subchapter comply with performance standards and regulations in effect under this subchapter;

(B) a description of the types and condition of facilities in which such programs are located;

(C) the types of organizations that receive Head Start funds under such programs; and

(D) the number of children served under each program option;

(11) the information contained in the documents entitled "Program Information Report" and "Head Start Cost Analyses System" (or any document similar to either), prepared with respect to Head Start programs; **[**and**]**

(12) a description of the types of services provided to children and their families, both on-site and through referrals, including health, mental health, dental care, parenting education, physical fitness, and literacy training**[**.**]**; *and*

(13) a summary of information concerning the research, demonstration, and evaluation activities conducted under section 649, including—

(A) a status report on ongoing activities; and

(B) results, conclusions, and recommendations, not included in any previous report, based on completed activities.

* * * * * * *

[SEC. 651A. LONGITUDINAL STUDY OF HEAD START PARTICIPANTS.

[(a) In General.—The Secretary shall conduct, through grants or contracts made or entered into with persons that have the qualifications specified in paragraphs (1) and (2) of subsection (b), a longitudinal study of the effects that the participation in Head Start programs has on the development of participants and their families and the manner in which such effects are achieved.

[(b) Advisory Panel.—In carrying out the study required by subsection (a), the Secretary shall establish an advisory panel to provide advice and guidance to the Secretary, and to the individuals who carry out such study, concerning the design and execution of such study. Such panel shall be composed of—

[(1) individuals who have—

[(A) expertise in the current operation of Head Start programs;

[(B) professional backgrounds in child development and related fields; and

[(C) experience in the evaluation of Head Start programs or comparable programs; and

[(2) individuals who have expertise in designing and executing large-scale longitudinal studies.

[(c) Children and Families To Be Studied.—The study required by subsection (a) shall follow the progress of children and their families—

[(1) who have attended Head Start programs (including Parent-Child Centers) that are in compliance with Head Start Performance Objectives;

[(2) who represent specific subpopulations, including children from dysfunctional families; and

[(3) who have attended Head Start programs that represent the various program options and that are located in both urban and rural areas.

[(d) Subcontracting.—Persons selected to conduct the study required by subsection (a) may subcontract elements of the study to other persons with the approval of the Secretary. Such study may be carried out through a series of several small studies focused on specific program options and subpopulations.

[(e) FOCUS.—The study required under subsection (a) shall consider the degree to which social, physical, and academic development, including grade retention, motivation to achieve, special education placement, health (including long- and short-term health), secondary school graduation, delinquency, substance abuse, teenage pregnancy, literacy, college attendance, employment, and welfare participation of children and the parenting skills, employment, literacy, education level, motivation to achieve, and welfare participation of parents are affected by—

[(1) the program options selected by the Head Start program;

[(2) the number and configuration of hours, days, and years the child participates in Head Start;

[(3) the Head Start program quality, including training and experience of Head Start teachers and teacher aides, staff to child ratios, and group size;

[(4) the level of parental involvement in the Head Start program;

[(5) the supportive services provided to children and their parents through the Head Start program;

[(6) the Head Start curriculum;

[(7) the characteristics of a subsequent schooling of the child and family characteristics and behaviors that affect social, physical, health (including long- and short-term health), and academic development as such children move through the primary grades; and

[(8) other factors identified by the advisory panel, including the variables that sustain gains as such children move through the primary grades.

[(f) COMPARISON—To the maximum extent feasible, the study required under subsection (a) shall provide for comparisons with appropriate groups composed of individuals who do not participate in Head Start programs.

[(g) COORDINATION.—The study required under subsection (a) shall be coordinated with the National Longitudinal Study conducted under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 that is administered by the Department of Education.

[(h) INTERIM REPORT.—Not later than January 1, 1994, the Secretary shall prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate, an interim report concerning the design and progress of the study conducted under this section, including interim results of such study.

POVERTY LINE

[SEC. 652. (a) The Secretary shall issue annually (or at any shorter interval the Secretary considers to be feasble and desirable) a poverty line which, except as provided in section 645, shall be used as a criterion of eligibility for participation in Head Start programs.

[(b) The poverty line shall be determined by the Secretary not more than 30 days after the date on which the necessary Consumer Price Index data become available.**]**

* * * * * * *

NATIONAL SCHOOL LUNCH ACT

§ 1758. Program requirements

(a) * * *

* * * * * * *

(6)(A) A child shall be considered automatically eligible for a free lunch and breakfast under this chapter and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), respectively, without further application or eligibility determination, if the child is **[**a member of**]**—

(i) *a member of* a household receiving assistance under the food stamp program authorized under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.); **[**or**]**

(ii) *a member of* an AFDC assistance unit (under the aid to families with dependent children program authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)), in a State where the standard of eligibility for the assistance does not exceed 130 percent of the poverty line (as defined in section 9902(2) of this title**[**.**]**)*; or*

(iii) enrolled as a participant in a Head Start program authorized under the Head Start Act (42 U.S.C. 9831 et seq.), on the basis of a determination that the child is a member of a family that meets the low-income criteria prescribed under section 645(a)(1)(A) of the Head Start Act (42 U.S.C. 9840(a)(1)(A)).

(B) Proof of recept of **[**food stamps or aid to families with dependent children**]** *food stamps, aid to families with dependent children, or enrollment or participation in the Head Start program on the basis described in subparagraph (A)(iii)* shall be sufficient to satisfy any verification requirement imposed under paragraph (2)(C).

* * * * * * *

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

* * * * * * *

SEC. 4702. EDUCATIONAL PROGRAMMING.

(a) AWARDS.—* * *

* * * * * * *

(b) ELIGIBLE ENTITIES.—To be eligible to receive a contract, cooperative agreement, or grant under subsection (a), an entity shall be—

(1) a nonprofit**[**, nongovernmental entity**]** *entity (including public telecommunications entities)* able to demonstrate a capacity for the development and distribution of educational and

instructional television programming of high quality for preschool and elementary school children; and

* * * * * * *

SEC. 4706. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this part, [$25,000,000 for fiscal year 1995] *$30,000,000,000 for fiscal year 1995*], and such sums as may be necessary [for fiscal year 1994.] *for each of fiscal year 1996 and 1997*. Not less than 60 percent of the amounts appropriated under this subsection for each fiscal year shall be used to carry out section 4702.

TITLE 42—UNITED STATES CODE

HEAD START TRANSITION PROJECT ACT

§ 9855a. Head Start transition grants

(a) IN GENERAL.—With funds made available under section [9834(c)] *9834(b)* of this title to carry out this subchapter, the Secretary may make demonstration grants to Head Start agencies and local educational agencies to develop and operate programs that assist low-income elementary school students grades kindergarten through 3 (giving priority to students entering their first year of elementary school) and their families in—

* * * * * * *

TITLE 42—UNITED STATES CODE

STATE DEPENDENT CARE DEVELOPMENT GRANTS ACT

* * * * * * *

§ 9871. Authorization of appropriations

For the purpose of making allotments to States to carry out the activities described in section 9874 of this title, there [are authorized to be appropriated $20,000,000 for each of the fiscal years 1990 and 1991, and such sums as may be necessary for fiscal year 1992, 1993, and 1994.] *is authorized to be appropriated $13,000,000 for fiscal year 1995.*

* * * * * * *

TITLE 42—UNITED STATES CODE

CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP ASSISTANCE ACT OF 1985

* * * * * * *

§ 10905. Authorization of appropriation

There is authorized to be appropriated [$1,500,000 for each of the fiscal years 1987, 1988, 1989, and 1990 for carrying out this chapter.] *to carry out this title such sums as may be necessary for fiscal year 1995.*

§ 9901. Community services grants authorized

(a) * * *

*   *   *   *   *   *   *

[(b) There are authorized to be appropriated $451,500,000 for fiscal year 1990, $451,500,000 for fiscal year 1991, $460,000,000 for fiscal year 1992, $480,000,000 for fiscal year 1993, and $500,000,000 for fiscal year 1994, to carry out the provisions of this chapter (other than section 9910a of this title).]

(b) There are authorized to be appropriated $525,000,000 for fiscal year 1995, and such sums as may be necessary for each of fiscal years 1996 through 1998, to carry out the provisions of this subtitle.

*   *   *   *   *   *   *

§ 9903. State allocations

(a) Of the amounts appropriated for a fiscal year pursuant to section 672(b), the Secretary may reserve not less than one-half of 1 percent and not more than 1 percent for training, technical assistance, planning, and evaluation activities related to programs or projects carried out under this Act. Such activities may be carried out by the Secretary directly or through grants, contracts, or cooperative agreements.

[(a)]*(b)* PERCENTAGE APPORTIONMENT; DEFINITION.—

*   *   *   *   *   *   *

[(b)]*(c)* SPECIAL ALLOCATIONS TO INSULAR AREAS.—

*   *   *   *   *   *   *

[(c)]*(d)* ALLOCATIONS TO INDIAN TRIBES; AMOUNT, CONDITIONS, ETC.—

*   *   *   *   *   *   *

§ 9904. Applications and requirements

(a) FORM AND ASSURANCES.—Each State desiring to receive an allotment for a fiscal year under this chapter shall submit an application to the Secretary. Each such application shall be in such form as the Secretary shall require. Each such application *or significant amendments thereof* shall contain assurances by the chief executive officer of the State that the State will comply with subsection (b) of this section and will meet the conditions enumerated in subsection (c) of this section.

*   *   *   *   *   *   *

(c) CERTIFICATIONS REQUIRED.—As part of the annual application required by subsection (a) of this section, the chief executive officer of each State shall certify that the State agrees to—

(1) [use the funds available under this chapter] *ensure that, at its discretion and consistent with agreements with the State, each recipient of funds available under this Act will use such funds—*

(A) * * *

* * * * * * *

(B) to provide activities designed to assist low-income participants including *migrants, and* the elderly poor—

* * * * * * *

(2) (A)(i) * * *

* * * * * * *

[(B) provide assurances that the State will not expend more than 5 percent of its allotment under section 9903 of this title for administrative expenses at the State level;]

(B) if less than 100 percent of the allotment is expended under subparagraph (A), provide assurances that with respect to the remainder of the allotment a reasonable amount shall be used for—

(i) providing training and technical assistance to those entities in need of such assistance and such activities will not be considered administrative expenses;

(ii) coordinating State-operated programs and services targeted to low-income children and families with services provided by eligible entities funded under this Act, including outposting appropriate State or local public employees into entities funded under this Act to ensure increased access to services provided by such State or local agencies;

(iii) supporting statewide coordination and communication among eligible entities;

(iv) administrative expenses at the State level, including monitoring activities, but not more than the greater of $55,000 or 5 percent of its allotment under section 674; and

(v) considering the distribution of funds under this Act within the State to determine if such funds have been targeted to the areas of highest need.

(3) provide assurances that, *[A]*, in the case of a community action agency or nonprofit private organization, each board will be *selected by the community action agency or nonprofit private organization and* constituted so as to assure that [A] *(i)* one-third of the members of the board are elected public officials, currently holding office, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive officials may be counted in meeting such one-third requirement; [(B)] *(ii)* at least one-third of the members are persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the poor in the area served; [(C)] *(iii)* the remainder of the members are officials or members of business, industry, labor, religious, welfare, education, or other major groups and interests in the community; , *and (B) in the case of a public organization receiving funds under this subtitle, such organization either establish—*

(i) a board of which at least one-third of the members are persons chosen in accordance with democratic selection pro-

cedures adequate to assure that they are representative of the poor in the area served; or

((ii) another mechanism specified by the State to assure low-income citizen participation in the planning, administration, and evaluation of projects for which such organization has been funded;

* * * * * * *

(10) permit and cooperate with Federal investigations undertaken in accordance with section 9908 of this title.

The Secretary [may not] *shall by regulation* prescribe the manner in which the States will comply with the provisions of this subsection. The Secretary shall provide to the chief executive officer of each State appropriate information regarding designated limited purpose agencies and grantees which meet the requirements of the second sentence of section 9902(1) of this title. No eligible entity which receives funds for a project or activity under clause (2)(A)(i) of this subsection may receive funds otherwise available under this chapter for that project or activity.

* * * * * * *

[For purposes of] *(A) For purposes of* making a determination with respect to a funding reduction, the term "cause" includes—

[(A) a statewide] *(i)(I) a statewide* redistribution of funds under this chapter to respond to—

[(i)] *(aa)* the results of the most recently available census or other appropriate data;

[(ii)] *(bb)* the establishment of a new eligible entity;

[(iii)] *(cc)* severe economic dislocation; and

[(B) the failure] *(ii) the failure* of an eligible entity to comply with the terms of its agreement to provide services under this chapter.

(B) for purposes of making a determination with respect to a termination, the term 'cause' includes the material failure of an eligible entity to comply with the terms of its agreement and community action plan to provide services under this subtitle;

(12) in the case of a State which applied for and received a waiver from the Secretary under Public law 98–139, provide assurances that funds will not be provided under this chapter by such State to an organization to which such State made a grant under this chapter in fiscal year 1984 unless such organization allows, before expending such funds, low-income individuals to comment on the uses for which such organization proposes to expend such funds[.];

(13) secure from each eligible entity as a condition to its receipt of funding under this Act a community action plan (which shall be available to the Secretary for inspection) that includes—

(A) a community needs assessment (including food needs);

(B) a description of the service delivery system targeted to low-income individuals and families in the service area;

(C) a description of how linkages will be developed to fill identified gaps in services through information, referral, case management, and followup consultations;

(D) a description of how funding under this Act will be coordinated with other public and private resources; and

(E) a description of outcome measures to be used to monitor success in promoting self-sufficiency, family stability, and community revitalization; and

(14) provide assurances that cost and accounting standards of the Office of Management and Budget shall apply to a recipient of funds under this Act.

* * * * * * *

(d) STATE PLANS.—

(1) * * *

* * * * * * *

(2) Each plan *or revision* prepared under paragraph (1) shall be made available for public inspection within the State in such a manner as will facilitate review of, and comment on, the plan.

* * * * * * *

(f) CONDUCT OF INDEPENDENT AUDITS; COPIES TO STATE LEGISLATURES.—Each audit required by subsection (c)(9) of this section shall be conducted by an entity independent of any agency administering activities or services carried out under this chapter and shall be conducted in accordance with generally accepted accounting principles. Within 30 days after the completion of each audit, the chief executive officer of the State shall submit a copy of such audit *to the eligible entity at no charge,* to the legislature of the State and to the Secretary.

* * * * * * *

§ 9910. Discretionary authority of Secretary

(a) TRAINING AND ACTIVITIES OF NATIONAL OR REGIONAL SIGNIFICANCE.—

* * * * * * *

[(1) training related to the purposes of this chapter, including national conferences, newsletters, and collection and dissemination of data about programs and projects assisted under this chapter;]

[(2)] *(1)* ongoing activities of national or regional significance related to the purposes of this chapter, [including special emphasis programs for] *with special emphasis on—*

[(A) special programs of assistance, awarded on a competitive basis, to private, locally initiated, nonprofit community development corporations, (or affiliates of such corporations) governed by a board consisting of residents of the community and business and civic leaders, which sponsor enterprises providing employment and business development opportunities for low-income residents of the community designed to increase business and employment opportunities in the community;

[(B) Rural Development Loan Fund revolving loans and guarantees under subchapter I of chapter 105 of this title;

[(C) community development credit union programs administered under subchapter I of chapter 105 of this title;

[(D) technical assistance and training programs in the planning and development of rural housing, including rental housing for low-income individuals (in selecting entities to carry out such programs, the Secretary shall give priority to private nonprofit organizations that before September 30, 1986, carried out such programs under this subparagraph);

[(E) technical assistance and training programs regarding the planning and development of rural community facilities (in selecting entities to carry out such programs, the Secretary shall give priority to organizations described in subparagraph (D));

[(F) assistance for migrants and seasonal farm workers; and

[(G) national or regional programs designed to provide instructional activities described in subsection (b) of this section for low-income youth; and]

(A) a Community Initiative Program, awarded on a competitive basis, to fund private, nonprofit community development corporations for the purposes of planning and carrying out community and economic development activities in economically distressed areas and in rural areas, as described in subsection (b);

(B) grants to eligible entities for the development and implementation of innovative approaches to deal with critical needs or problems of low-income individuals that are common to a number of communities, including grants to provide opportunities for leadership development, community involvement and education success to disadvantaged persons between the ages of 14 and 25; and

(C) grants to support the design, development, and widespread availability of interactive information technology among the nationwide network of Community Services Block Grant eligible entities, State administrators, national associations and organizations, and program recipients to promote electronic communication and access to program information that would enhance the effective delivery of social services.

[(3)] *(2) training and technical assistance to aid States in carrying out their responsibilities under this subchapter.*

* * * * * * *

[(b) INSTRUCTIONAL ACTIVITY TO BE CARRIED OUT ON CAMPUS; REQUIREMENTS.—

[Any instructional activity carried out under subsection (a)(2)(F) of this section shall be carried out on the campus of an institution of higher education (as defined in section 1141(a) of Title 20) and shall include—

[(1) access to the facilities and resources of such institution;

[(2) an initial medical examination and follow-up referral or treatment, without charge, for youth during their participation in such activity;

[(3) at least one nutritious meal daily, without charge, for participating youth during each day of participation;

[(4) high quality instruction in a variety of sports (that shall include swimming and that may include dance and any other high quality recreational activity) provided by coaches and teachers from institutions of higher education and from elementary and secondary schools (as defined in sections 2891(8) and 2891(21) of Title 20); and

[(5) enrichment instruction and information on matters relating to the well-being of youth, such as educational opportunities and study practices, the prevention of drug and alcohol abuse, health and nutrition, career opportunities, and job responsibilities.

(b) COMMUNITY INITIATIVE PROGRAM.—

(1) IN GENERAL.—

(A) ECONOMIC DEVELOPMENT ACTIVITIES.—Economic development activities under this section shall be designed to address the economic needs of low-income individuals and families by creating employment and business development opportunities.

(B) CONSULTATION.—The Secretary shall exercise the authority provided under subparagraph (A) in consultation with other relevant Federal officials.

(C) GOVERNING BOARDS.—Each community development corporation receiving funds under this section shall be governed by a board that shall consist of residents of the community and business and civic leaders and shall have as a principal purpose planning, developing and managing low-income housing and community development projects.

(D) GEOGRAPHIC DISTRIBUTION.—In providing assistance or entering into other arrangements under this section, the Secretary shall take into consideration the geographic distribution of funds among States and the relative proportion of funding among rural and urban areas.

(E) RESERVATION.—Of the amounts made available to carry out this section, the Secretary may reserve not to exceed 1 percent for each fiscal year to make grants to private nonprofit organizations or to enter into contracts with private nonprofit or for profit organizations to provide technical assistance to aid community development corporations in developing or implementing projects funded under this section and to evaluate projects funded under this section.

(2) RURAL COMMUNITY DEVELOPMENT ACTIVITIES.—Rural community development activities under this section shall include—

(A) grants to private, nonprofit corporations that provide assistance to rural low-income families in home repair and in planning and developing low-income rural rental housing units; and

(B) grants to multistate, regional private, nonprofit organizations that provide training and technical assistance to small, rural communities in meeting their community facility needs.

* * * * * * *

§ 9910a. Community food and nutrition

(a) AUTHORITY; SECRETARY; PROGRAMS.—

* * * * * * *

[(d) AUTHORIZATION OF APPROPRIATIONS.—

[There is authorized to be appropriated $3,000,000 for fiscal year 1990, $10,000,000 for fiscal year 1991, $150,000,000 for fiscal year 1992, $20,000,000 for fiscal year 1993, and $25,000,000 for fiscal year 1994 to carry out this section.]

(d) There are authorized to be appropriated $25,000,000 for fiscal year 1995, and such sums as may be necessary for each of fiscal years 1996 through 1998, to carry out this section.

* * * * * * *

SOCIAL SECURITY ACT

* * * * * * *

TREATMENT OF INCOME AND RESOURCES FOR CERTAIN INSTITUTIONALIZED SPOUSES[528]

SEC. 1924 (a) SPECIAL TREATMENT FOR INSTITUTIONALIZED SPOUSES.—

* * * * * * *

(d) PROTECTING INCOME FOR COMMUNITY SPOUSE.—

(1) * * *

* * * * * * *

(i) the applicable percent (described in subparagraph (B)) of 1/12 of the income official poverty line (defined by the Office of Management and Budget and revised annually in accordance with [sections 652 and 673(2)] *section 673(2)* of the Omnibus Budget Reconciliation Act of 1981[534]) for a family unit of 2 members; plus

* * * * * * *

LOW-INCOME HOME ENERGY ASSISTANCE ACT OF 1981

* * * * * * *

HOME ENERGY GRANTS AUTHORIZED

SEC. 2602. [(a) The Secretary of Health and Human Services is authorized to make grants, in accordance with the provisions of this title (other than section 2607A), to States to assist eligible households to meet the costs of home energy.] *(a) The Secretary is authorized to make grants, in accordance with the provisions of this title, to States to assist low-income households, particularly those that pay a high proportion of household income for home energy, primarily in meeting their immediate home energy needs and, where appropriate, to reduce the energy needs and costs of such households and thereby improve their capacity to meet such needs in the future.*

(b) There are authorized to be appropriated to carry out the provisions of [this title *(other than section 2607A)* $2,307,000,000 for fiscal year 1990, $2,150,000,000 for fiscal year 1991, $2,230,000,000 for fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 and 1994.] *this title, $2,000,000,000 for fis-*

cal years 1995 through 1999. The authorizations of appropriations contained in this subsection are subject to the program year provisions of subsection (c).[.]

(c)(1) In fiscal year 1993 and each fiscal year thereafter, amounts appropriated under this section for any fiscal year for programs and activities under this Act shall be made available for obligation only on the basis of a program year. The program year shall begin on [July 1] *October 1* of the fiscal year [for which] *following the year in which* the appropriation is made.

* * * * * * *

[(d) There are authorized to be appropriated to carry out section 2607A, $25,000,000 in fiscal year 1992, and $50,000,000 in each of the fiscal years 1993 and 1994.]

(d) There are authorized to be appropriated to carry out section 2607A, $50,000,000 for each of the fiscal years 1995 and 1996, and such sums as may be necessary for each of the fiscal years 1997 through 1999.

(e) There are authorized to be appropriated in any fiscal year for payments under this title, in addition to amounts appropriated for distribution to all the States in accordance with section 2604 (other than subsection (g)), $600,000,000 for each of the fiscal years 1995 through 1999, to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency. Funds appropriated pursuant to this subsection are hereby designated to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such funds shall be made available only after the submission to Congress of a formal budget request by the President (for all or a part of the appropriation pursuant to this subsection) that includes a designation of the amount requested as an emergency requirement as defined in such Act.

* * * * * * *

DEFINITIONS

SEC. 2603. As used in this title.—

(1) The term "energy burden" means the expenditures of the household for home energy divided by the income of the household.

[(1)] *(2)* the term "energy crisis" means weather-related and supply shortage emergencies and other household energy-related emergencies.

(3) The term "highest home energy needs" means the home energy requirements of households that include members of vulnerable populations, including very young children and the frail elderly.

[(2)] *(4)* [the] The term "household" means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent[;].

[(3)] *(5)* The term "home energy" means a source of heating or cooling in residential dwellings.

[(4)] *(6)* The term "poverty level" means, with respect to a household in any State, the income poverty line as prescribed and revised at least annually pursuant to section 673(2) of the Community Services Block Grant Act, as applicable to such State.

[(5)] *(7)* The term "Secretary" means the Secretary of Health and Human Services.

[(6)] *(8)* The term "State" means each of the several States and the District of Columbia.

[(7)] *(9)* The term "State median income" means the State median income promulgated by the Secretary in accordance with procedures established under section 2002(a)(6) of the Social Security Act (as such procedures were in effect on the day before the date of the enactment of this Act) and adjusted, in accordance with regulations prescribed by the Secretary, to take into account the number of individuals in the household.

* * * * * * *

STATE ALLOTMENTS

SEC. 2604. (a)(1)(A) * * *

* * * * * * *

(g) Notwithstanding subsections (a) through (f), the Secretary may allot amounts appropriated pursuant to section 2602 (e) to one or more than one State. In determining to which State or States additional funds may be allotted, the Secretary shall take into account the extent to which a State was affected by the emergency or disaster, the availability to an affected State of other resources under this or any other program, and such other factors as the Secretary determines relevant.

* * * * * * *

APPLICATIONS AND REQUIREMENTS

SEC. 2605. (a)(1) * * *

* * * * * * *

(b) As part of the annual application required by subsection (a), the chief executive officer of each State shall certify that the State agrees to—

[(1) use the funds available under this title for the purposes described in section 2602(a) and otherwise in accordance with the requirements of this title, and agrees not to use such funds for any payments other than payments specified in this section;]

(1) use the funds available under this title to—

(A) conduct outreach activities and provide assistance to low income households in meeting their home energy costs, particularly those that pay a high proportion of household income for home energy, consistent with paragraph (5);

(B) intervene in energy crisis situations;

(C) provide low-cost residential weatherization and other cost-effective energy-related home repair; and

(D) plan, develop, and administer the State's program under this title including leveraging programs.

and the State agrees not to use such funds for any purposes other than those specified in this title;

(2) make payments under this title only with respect to—

(A) households in which 1 or more individuals are receiving—

* * * * * * *

(B) households with incomes which do not exceed the greater of—

(i) * * *

* * * * * * *

[except that no household may be excluded from eligibility under this subclause for payments under this title for fiscal year 1986 and thereafter if the household has an income which is less than 110 percent of the poverty level for such State for such fiscal year] *except that a State may not exclude a household from eligibility in a fiscal year solely on the basis of household income if such income is less than 110 percent of the poverty level for such State, but the State may give priority to those households with the highest home energy costs or needs in relation to household income;*

(3) conduct outreach activities designed to assure that eligible households *disabled*, especially households with elderly individuals or [handicapped] individuals, or both [are made aware] *and households with high home energy burdens, are made aware* of the assistance available under this title, and any similar energy-related assistance available under subtitle B of title VI (relating to community services block grant program) or under any other provision of law which carries out programs which were administered under the Economic Opportunity Act of 1964 before the date of the enactment of this Act;

* * * * * * *

(5) provide, in a timely manner, that the highest level of assistance will be furnished to those households which have the lowest incomes and the highest energy costs *or needs* in relation to income, taking into account family size, except that the State may not differentiate in implementing this section between the households described in clauses (2)(A) and (2)(B) of this subsection;

* * * * * * *

(7) if the State chooses to pay home energy suppliers directly, establish procedures to—

(A) * * *

* * * * * * *

[(C) assure that the home energy supplier will provide assurances that any agreement entered into with a home energy supplier under this paragraph will contain provisions to assure that no household receiving assistance under this title will be treated adversely because of such assistance under applicable provisions of State law or public regulatory requirements; and

[(D) assure that any home energy supplier receiving direct payments agrees not to discriminate, either in the cost of the goods supplied or the services provided, against the eligible household on whose behalf payments are mades;]

(C) assure that the home energy supplier will not treat households receiving assistance under this title less favorably than other households to which it supplies home energy, and will comply with all provisions under or pursuant to State law prohibiting adverse or discriminatory treatment of such households; and

(D) ensure that the provision of vendored payments remains at the option of the State and local grantees and may be contingent on vendors taking appropriate measures to alleviate the energy burdens of eligible households, including providing for compacts between suppliers and individuals eligible for benefits under this Act that seek to reduce home energy costs, minimize the risks of home energy crisis, and encourage regular payments by individuals receiving financial assistance for home energy costs;

* * * * * * *

(10) provide that such fiscal control and fund accounting procedures will be established as may be necessary to assure the proper disbursal of and accounting for Federal funds paid to the State under this title, including procedures for monitoring the assistance provided under this title, [and provide that at least every two years the State shall prepare and audit of it expenditures of amounts received under this title and amounts transferred to carry out the purposes of this title;] *and provide that the State will comply with the provisions of chapter 75 of title 31, United States Code (commonly known as the "Single Audit Act");*

* * * * * * *

(14) cooperate with the Secretary with respect to data collecting and reporting under section 2610; [and]

(15) beginning in fiscal year 1992, provide, in addition to such services as may be offered by State Departments of Public Welfare at the local level, outreach and intake functions for crisis situations and heating and cooling assistance that is administered by additional State and local governmental entities or community-based organizations (such as community action agencies, area agencies on aging, and not-for-profit neighborhood-based organizations), and in States where such organizations do not administer intake functions as of September 30, 1991, preference in awarding grants or contracts for intake services shall be provided to those agencies that administer the low-income weatherization or energy crisis intervention programs[.] *; and*

(16) that it may use such funds to provide services that encourage and enable households to reduce their home energy needs and thereby the need for energy assistance, including needs assessments, counseling, and assistance with energy vendors.

The Secretary may not prescribe the manner in which the States will comply with the provisions of this subsection. The Secretary shall issue regulations to prevent waste, fraud, and abuse in the programs assisted by this title.

(c)(1) * * *

* * * * * * *

(A) * * *

* * * * * * *

(D) describes weatherization and other energy-related home repair the State will provide under subsection (k), *including any steps the State will take to address the weatherization and energy-related home repair needs of households that have high home energy burdens, and describes any rules promulgated by the Department of Energy for administration of its Low Income Weatherization Assistance Program which the State, to the extent permitted by the Secretary to increase consistency between federally assisted programs, will follow regarding the use of funds provided under this title by the State for such weatherization and energy-related home repairs and improvements;*

(E) describes any steps that will be taken (in addition to those necessary to carry out the assurance contained in paragraph (5) of subsection (b)) to target assistance to households with high home energy burdens;

[(E)] *(F)* describes how the State will carry out assurances in clauses (3), (4), (5), (6), (7), (8), (10), (12), [and (13)] *(13), (15), and (16)* of subsection (b); [and]

(G) states, with respect to the 12-month period specified by the Secretary, the number and income levels of households which apply and the number which are assisted with funds provided under this title, and the number of households so assisted with—

(i) one or more members who had attained 60 years of age;

(ii) one or more members who were disabled; and

(iii) one or more young children; and

[(F)] *(H)* contains any other information determined by the Secretary to be appropriate for purposes of this title.

* * * * * * *

(e) Each State shall, in carrying out the requirements of subsection (b)(10), obtain financial and compliance audits of any funds which the State receives under this title. Such audits shall be made public within the State on a timely basis. The audits shall be conducted [at least every two years] by an organization or person independent of any agency administering activities under this title. The audits shall be conducted in accordance with the Comptroller General's standards for audit of governmental organizations, programs, activities, and functions. Within 30 days after completion of each audit, the chief executive officer of the State shall submit a copy of the audit to the legislature of the State and to the Secretary.] *in accordance with chapter 75 of title 31, United States Code.*

* * * * * * *

PAYMENTS TO STATES

SEC. 2607. (a) *(1)* From its allotment under section 2604, the Secretary shall make payments to each State in accordance with section 203 of the Intergovernmental Cooperation Act of 1968, for use under this title.

(2) Each State shall notify the Secretary, not later than 2 months prior to the close of a fiscal year, of the amount (if any) of its allotment for such year that will not be obligated in such year, and, if such State elects to submit a request described in subsection (b)(2), such State shall submit such request at the same time. The Secretary shall make no payment under paragraph (1) to a State for a fiscal year unless the State has complied with this paragraph with respect to the prior fiscal year.

* * * * * * *

INCENTIVE PROGRAM FOR LEVERAGING NON-FEDERAL RESOURCES

SEC. 2607A. (a) * * *

* * * * * * *

(c)(1) * * *

* * * * * * *

(2) A State may expend funds allocated under this title as are necessary, not to exceed **[**.0008 percent**]** *0.08 percent* of such allocation or $35,000 each fiscal year, whichever is greater, to identify, develop, and demonstrate leveraging programs. Funds allocated under this section shall only be used for increasing or maintaining benefits to households.

* * * * * * *

(e) Not later than **[**July 31, of each year**]** *2 months after the close of the fiscal year during which the State provided leveraged resources to eligible households, as described in subsection (b)*, each State shall prepare and submit, to the Secretary, a report that quantifies the leveraged resources of such State in order to qualify for assistance under this section for the following fiscal year.

* * * * * * *

TECHNICAL ASSISTANCE AND TRAINING

SEC. 2609A. (a) Of the amounts appropriated under section 2602(b) for any fiscal year, not more than **[**$500,000**]** *$250,000* of such amounts may be reserved by the Secretary—

* * * * * * *

STUDIES

SEC. 2610. (a) The Secretary, after consultation with the Secretary of Energy, shall provide for the collection of data, including—

(1) * * *

(2) the amount, cost and type of fuels used**[**;**]** for households eligible for assistance under this title*;*

* * * * * * *

(5) the number of households which received such assistance and include one or more individuals who are 60 years or older or [handicapped;] *disabled or include young children;* and

* * * * * * *

CLAUDE PEPPER YOUNG AMERICANS ACT OF 1990

* * * * * * *

TITLE IX—COORDINATED SERVICES FOR CHILDREN, YOUTH, AND FAMILIES

SEC. 901. * * *

* * * * * * *

SEC. 918. FEDERAL COUNCIL ON CHILDREN, YOUTH, AND FAMILIES.

(a) * * *

* * * * * * *

(k) DUTIES OF THE COUNCIL.—The Council shall—

(1) * * *

* * * * * * *

(3) make recommendations to the President, the Secretary, the Commissioner, the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate concerning changes in such policies and programs that can streamline services, reduce duplication of services and encourage the coordination of services provided to young individuals and the families of such individuals at the State and local level; [and]

(4) provide public forums, including public hearings, conferences, workshops, and other meetings, for discussing and publicizing the problems and needs of young individuals and obtaining information relating to such individuals[.] *;*

(6) identify program regulations, practices, and eligibility requirements that impede coordination and collaboration and make recommendations for their modifications or elimination; and

(7) develop recommendations for creating jointly funded programs, unified assessments, eligibility, and application procedures, and confidentiality protections that facilitate information sharing.

SEC. 926. DEFINITIONS.

As used in this chapter—

(1) * * *

* * * * * * *

(7) OUTREACH SERVICES.—The term "outreach services" means services provided to ensure (through home visits or other methods) that parents *, and other caretakers* are aware of and able to participate in family resource and support program activities.

* * * * * * *

SEC. 933. FAMILY RESOURCE AND SUPPORT PROGRAM GRANTS.

[(A) AUTHORITY.—The Commissioner shall make grants under this section to States on a competitive basis, for the purpose of developing, expanding, and operating a network of local family resource and support programs in collaboration with existing health, mental health, education, employment and training, child welfare, and other social services agencies within the State.

[(b) AMOUNT OF GRANT.—The amount of a grant awarded under this section for the first year in which a program is operated or expanded under this section shall not exceed $6,000,000 nor be less than $1,500,000 based on an assessment by the Commissioner of the application submitted by the State under subsection (d), the scope of the proposed program to be operated or expanded, and the population to be served by the program.

[(c) DURATION.—

[(1) IN GENERAL.—A grant awarded under this section shall be for a term of 3 years.

[(2) LIMITATION.—

[(A) USE.—During the 12-month period immediately after the date on which the grant is awarded to a State under this section, the State may use the funds received under such grant exclusively for program development. Subsequent to such period grant funds shall be used for program implementation and operation unless the Commissioner grants a waiver from this limitation.

[(B) REPORTING REQUIREMENTS.—To receive funds after the period referred to in subparagraph (A) and after the 12-month period immediately following such initial period, the State shall report to the Commissioner concerning the plans of the State for—

[(i) the establishment and expansion of a network of family resource and support programs in the State;

[(ii) the number of family resource and support programs that have been expanded or newly established with grant funds under this section;

[(iii) the nature of those programs, including the populations served and services provided; and

[(iv) the extent of local community and parental participation in the development, operation, and governance of the programs.

[(d) APPLICATION.—To be eligible to receive a grant under this section a State shall prepare and submit, to the Commissioner, an application at such time, in such form, and containing such information as the Commissioner shall require, including—

[(1) an assurance that the chief executive officer of the State will designate a lead agency to assume responsibility for the development and implementation of family resource and support programs;

[(2) an assurance that the State has a process for effective program development that—

[(A) does not duplicate current processes or programs;

[(B) makes publicly available a written plan for the establishment of a network of local family resource and support programs; and

[(C) involves appropriate personnel in the development process, including—

[(i) parents and prospective participants in family resource and support programs;

[(ii) staff of existing family resource and support programs;

[(iii) representatives of State and local government social service, health, mental health, education, employment, and economic development agencies;

[(iv) representatives of the business community;

[(v) representatives of general purpose local government;

[(vi) representatives of local communities in which family resource and support programs are likely to be located; and

[(vii) other individuals with expertise in the services that the family resource and support programs of the State intend to offer;

[(3) A description of the current family support programs in the State, the current unmet need for such services, and the intended scope of the State family resource and support program, the population to be served, the manner in which the program will be operated, and the manner in which such program will relate to other community services and public agencies;

[(4) a description of the projected level of financial commitment by the State to developing a family resource and support program;

[(5) a description of the core services, as required under this chapter, and other support services to be provided by the program and the manner in which such services will be provided;

[(6) assurances that the state program will maintain cultural diversity;

[(7) a description of the guidelines for requiring parental involvement in State and local program development, policy design, and governance and the process of assessing and demonstrating that parental involvement in program development, operation, and governance occurs;

[(8) an assurance that, in awarding local grants, priority will be given to programs serving low-income communities and programs serving young parents;

[(9) a description of the local interagency planning process to be utilized to develop and implement local family resource and support programs;

[(10) a description of the criteria that the State will utilize for awarding grants for local programs so that they meet the requirements of subsection (f);

[(11) a plan for providing training, technical assistance, and other assistance to local communities in program development;

[(12) a description of the methods to be utilized to evaluate the implementation and effectiveness of the family resource and support programs within the State; and

[(13) a description of proposed actions by the State that will reduce practical and regulatory barriers to the provision of comprehensive services to families, including family resource and support programs.

[(e) CRITERIA.—In determining whether to award a grant to a State under this section the Commissioner shall consider—

[(1) the plans for program development, expansion, and operation by the State, including the amount of training, technical assistance and other support that the State will provide to local communities in the development and operation of their programs;

[(2) the established guidelines for requiring and assessing parental involvement in local program development, policy design, and governance;

[(3) the budget of the State for the expenditure of Federal and State funds and the ability of the program to secure financial commitments from a variety of sources, including public and private entities; and

[(4) any other factors determined appropriate by the Commissioner.

[(f) LOCAL PROGRAM REQUIREMENTS.—A State that receives a grant under such section shall use such grant to establish local family resources and support programs that—

[(1) implement a community planning process involving parents, local public and private non-profit agencies responsible for providing health, education, employment, training, Head Start and other early childhood, child welfare, and other social services to determine local family needs, and identify appropriate community agencies to administer such programs locally;

[(2) provide core services, and other services directly or through contracts or agreements with other local agencies; and

[(3) involve parents in the development, operation, and governance of the program.]

SEC 933. COMMUNITY-BASED FAMILY RESOURCE PROGRAMS.

(a) PURPOSE.—It is the purpose of this section to promote a systemic approach to prevention through the promotion of innovative funding mechanisms for networks of comprehensive family resource services provided through collaborative approaches, including public-private partnerships.

(b) AUTHORITY.—The Commissioner shall make grants to States on a formula basis for the purpose of—

(1) establishing and expanding statewide networks of community-based family resource programs, including funds for the initial costs of providing specific family resource services, that ensure family involvement in the design and operation of family resource programs which are responsive to the unique and diverse strengths of children and families;

(2) promoting child abuse and neglect prevention activities;

(3) promoting the establishment and operation of State and community-based trust funds or other mechanisms for integrating child and family services funding streams in order to provide flexible funding for the development of community-based family resource programs;

(4) establishing or expanding community-based collaboration to foster the development of a continuum of preventive services

for children and families, which are family-centered and culturally-relevant; and

(5) encouraging public and private partnerships in the establishment and expansion of family resource programs.

(c) Eligibility for Grants.—A State is eligible for a grant under this section for any fiscal year if—

(1) such State has established or maintained in the previous fiscal year—

(A) a trust fund, including appropriations for such fund; or

(B) any other mechanism that pools State, Federal, and private funds for integrating child and family service resources; and

(2) such trust fund or other funding mechanism includes (in whole or in part) provisions making funding available specifically for a broad range of child abuse and neglect preventing activities and family resource programs.

(d) Amount of Grant.—

(1) In general.—Amounts appropriated for a fiscal year to provide grants under this section shall be allotted, among eligible States in each fiscal year so that—

(A) 50 percent of the total amount appropriated for such fiscal year is allotted among each State based on the number of children under the age of 18 residing in each State, except that each State shall receive not less than $100,000; and

(B) the remaining 50 percent of the total amount appropriated for such fiscal year is allotted in an amount equal to 25 percent of the total amount allocated by each such State to the State's trust fund or other mechanism for integrating family resource services in the fiscal year prior to the fiscal year for which the allotment is being determined.

(e) Existing Grants.—A State that has a grant in effect on the date of enactment of this section under the Family Resource and Support Program or the Temporary Child Care and Crisis Nurseries Programs shall continue to receive funds under such Programs, subject to the original terms under which such funds were granted, through the end of the applicable grant cycle.

(f) Application.—No grant may be made to any eligible State under this section unless an application is prepared and submitted to the Secretary at such time, in such manner, and containing or accompanied by such information as the Commissioner determines to be essential to carry out the purposes and provisions of this section, including—

(1) a description of the agency designated by the Chief Executive Officer of the State to administer the funds provided under this section and assume responsibility for implementation and oversight of the family resource programs and other child abuse and neglect prevention activities, and an assurance that the agency so designated—

(A) is the trust fund advisory board or an existing quasi-public organization with interdisciplinary governance that pools State, Federal, and private funds for family resource

program or integrating child and family service resources; or

(B) with respect to a State without a trust fund mechanism or quasi-public organization that meets the requirements of subparagraph (A), is an existing State agency, or other public, quasi-public, or nonprofit private agency responsible for the development and implementation of a statewide network of community-based family resource programs;

(2) assurances that the agency designated under paragraph (1) can demonstrate the capacity under paragraph (1) can demonstrate the capacity to fulfill the purposes described in subsection (a), and shall have—

(A) a demonstrated ability to work with other State and community-based agencies, to provide training and technical assistance; and

(B) a commitment to parental participation in the design and implementation of family resource programs;

(3) an assurance that the State has an interagency process coordinated by the agency designated in paragraph (1) for effective program development that—

(A) does not duplicate existing processes for developing collaborative efforts to better serve children and families;

(B) provides a written plan for the establishment of a network of family resource programs publicly available; and

(C) involves appropriate personnel in the process, including—

(i) parents and prospective participants in family resource programs, including respite care programs;

(ii) staff of existing programs providing family resource services, including staff of Head Start programs and community action agencies that provide such services;

(iii) representatives of State and local government such as social service, health, mental health, education, employment, economic development agencies, and organizations providing community services activities;

(iv) representatives of the business community;

(v) representatives of general purpose local governments;

(vi) representatives of groups with expertise in child abuse prevention, including respite and crisis care;

(vii) representatives of local communities in which family resource programs are likely to be located; and

(viii) other individuals with expertise in the services that the family resource and support programs of the State intend to offer;

(4) a description of the current family resource programs operating in the State, the current unmet need for the services provided under such programs, including the need for building increased capacity to provide specific family resource services, including respite care, and the intended scope of the State family resource program, the population to be served, the manner in which the program will be operated, and the manner in which

such program will relate to other community services and public agencies;

(5) evidence that Federal assistance received under this section—

(A) has been supplemented with non-Federal public and private assistance, including a description of the projected level of financial commitment by the State to develop a family resource program; and

(B) will be used to supplement and not supplant other State and local public funds expended for family resource programs;

(6) a description of the core services, as required by this section, and other support services to be provided by the program and the manner in which such services will be provided, including the extent to which either family resources, centers, home visiting, or community collaboratives will be used;

(7) a description of any public information activities the agency designated in paragraph (1) will undertake for the purpose of promoting family stability and preventing child abuse and neglect, including child sexual abuse;

(8) an assurance that the State will provide funds for the initial startup costs associated with specific family resource services, including respite services, and a description of the services to be funded;

(9) assurances that the State program will maintain cultural diversity;

(10) a description of the guidelines for requiring parental involvement in State and local program development, policy design, and governance and the process for assessing and demonstrating that parental involvement in program development, operation, and governance occurs;

(11) a description of the State and community-based interagency planning processes to be utilized to develop and implement family resource programs;

(12) a description of the criteria that the State will utilize for awarding grants for local programs so that they meet the requirements of subsection (g);

(13) a plan for providing training, technical assistance, and other assistance to local communities in program development;

(14) a description of the methods to be utilized to evaluate the implementation and effectiveness of the family resource programs within the State;

(15) a description of proposed actions by the State that will reduce practical and regulatory barriers to the provision of comprehensive services to families, including family resource programs; and

(16) an assurance that the State will provide the Secretary with reports, at such time and containing such information as the Secretary may require.

(g) Local Program Requirements.—

(1) In general.—A State that receives a grant under this section shall use amounts received under such grant to establish local family resource programs that—

(A) undertake a community-based needs assessment and program planning process which involves parents, and local public and nonprofit agencies (including those responsible for providing health, education, employment training, Head Start and other early childhood, child welfare, and social services);

(B) develop a strategy to provide comprehensive services to families to meet identified needs through collaboration, including public-private partnerships;

(C) identify appropriate community-based organizations to administer such programs locally;

(D) provide core services, and other services directly or through contracts or agreements with other local agencies; and

(E) involve parents in the development, operation, and governance of the program.

(2) PRIORITY.—In awarding local grants under this section, a State shall give priority to programs serving low-income communities and programs serving young parents or parents with young children and shall ensure that such grants are equitably distributed among urban and rural areas.

(h) DEFINITIONS.—As used in this section:

(1) COMMUNITY REFERRAL SERVICES.—The term "community referral services" means services to assist families in obtaining community resources, including respite services, health and mental health services, employability development and job training and other social services.

(2) FAMILY RESOURCE PROGRAM.—The term "family resource program" means a program that offers community-based services that provide sustained assistance to families at various stages in their development. Such services shall promote parental competencies and behaviors that will lead to the healthy and positive personal development of parents and children through—

(A) the provisions of assistance to build family skills and assist parents in improving their capacities to be supportive and nurturing parents;

(B) the provision of assistance to families to enable such families to use other formal and informal resources and opportunities for assistance that are available within the communities of such families; and

(C) the creation of supportive networks to enhance the childbearing capacity of parents and assist in compensating for the increased social isolation and vulnerability of families.

(3) FAMILY RESOURCE SERVICES.—The term "family resource services" means—

(A) core services that must be provided directly by the family resource program under this section, including—

(i) education and support services provided to assist parents in acquiring parenting skills, learning about child development, and responding appropriately to the behavior of their children;

(ii) early developmental screening of children to assess the needs of such children and to identify the types of support to be provided;

(iii) outreach services;

(iv) community referral services; and

(v) follow-up services; and

(B) other services, which may be provided either directly or through referral, including—

(i) early care and education (such as child care and Head Start);

(ii) respite care;

(iii) job readiness and counseling services (including skill training);

(iv) education and literacy services;

(v) nutritional education;

(vi) life management skills training;

(vii) peer counseling and crisis intervention, and family violence counseling services;

(viii) referral for health (including prenatal care) and mental health services; and

(ix) substance abuse treatment.

(4) INTERDISCIPLINARY GOVERNANCE.—The term "interdisciplinary governance" includes governance by representatives from communities and representatives from existing health, mental health, education, employment and training, child welfare, and other agencies within the State.

(5) RESPITE SERVICES.—The term "respite services" means short-term care services provided in the temporary absence of the regular caregiver (parent, other relative, foster parent, adoptive parent, guardian) to children who meet one or more of the following categories:

(A) The children are in danger of abuse or neglect.

(B) The children have experienced abuse or neglect.

(C) The children have disabilities, or chronic or terminal illnesses.

Services provided within or outside the child's home shall be short-term care, ranging from a few hours to a few weeks of time, per year, and be intended to enable the family to stay together and to keep the child living in the child's home and community.

SEC. 934. AUTHORIZATION OF APPROPRIATION AND ALLOTMENT.

(a) ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES; STATE COORDINATION; SUPPORTIVE SERVICES.—

[(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out sections 919, 931, and 932 of this title, $30,000,000 for fiscal year 1991 and such sums as may be necessary for fiscal years 1992, 1993, and 1994. Funds appropriated under this paragraph shall remain available for expenditure in the fiscal year succeeding the fiscal year for which such funds are appropriated.**]**

(1) There are authorized to be appropriated to carry out section 931 such sums as may be necessary for each of the fiscal years 1995 through 1998.

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[(d) FAMILY RESOURCE AND SUPPORT PROGRAMS.—There are authorized to be appropriated to carry out section 933, $30,000,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 through 1994.]

(d) COMMUNITY-BASED FAMILY RESOURCE PROGRAMS.—There are authorized to be appropriated to carry out section 933, $75,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 1998.

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SEC. 958. ESTABLISHMENT OF NATIONAL CENTER ON FAMILY RESOURCE AND SUPPORT PROGRAMS.

(a) * * *

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(3) identify several [model] programs representing the various types of family resource and support programs to develop technical assistance materials and activities to assist other agencies in establishing family resource and support programs; and

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SEC. 960. AUTHORIZATION OF APPROPRIATIONS.

(a) ESTABLISHMENT OF CENTER.—To carry out section 958, there are authorized to be appropriated [$2,300,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 through 1994.] *$2,000,000 for each of the fiscal years 1995 through 1998.*

(b) EVALUATION.—To carry out section 959, there are authorized to be appropriated [$700,000 for fiscal year 1991, and such sums as may be necessary for each of the fiscal years 1992 through 1994.] *$1,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 1998.*

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